

England [Laws + Statutes - Y. M.]
collections

THE FOLLOWING

ACTS of PARLIAMENT

6429. p. 1.

Are published by Order of the

C O M M I T T E E

O F

Worsted Manufacturers,

FOR THE

COUNTIES of YORK, LANCASTER, and
CHESTER.



PRINTED IN THE YEAR, 1783:

AND RE-PRINTED BY ORDER OF THE COMMITTEE, IN
THE YEAR, 1792.



Anno Vicefimo Secundo

Georgii II. Regis.

An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers, and Journeymen Hot-Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages.

WHEREAS by an act made in the Preamble, reciting several
thirteenth year of his present Majesty's reign, intituled, an act to 13 Geo. II. and
explain and amend an act made in the first 1 Annæ.
year of the reign of her late Majesty Queen Anne, intituled, *An act for the more effectual preventing the abuses and frauds of persons employed in the working up of the woollen, linen, fustian, cotton, and iron manufactures of this kingdom, and for extending the said act to the manufactures of Leather*, it is amongst other things enacted, That if any person or persons hired or employed in the working up of any woollen, linen, fustian, cotton, or iron manufactures, shall purloin, embezzle, secrete, sell,
A 2 pawn,

pawn, exchange, or otherwise illegally dispose of any the materials with which he, she, or they shall be respectively entrusted to work up such woollen, linen, fustian, cotton, or iron manufactures, whether the same be or be not first made up or manufactured, or shall reel false or short yarn, the person or persons so offending, and being thereof convicted in manner prescribed by the said act of the first year of her said late Majesty's reign, shall forfeit double the value of the damages which the owner or owners of such materials shall respectively sustain thereby, together with full costs of prosecution for every such offence: and in case immediate payment of the respective forfeitures, together with such costs of prosecution as aforesaid, shall be neglected or refused to be made, that then it shall and may be lawful to and for the same justice of the peace, before whom such conviction shall be made, to cause the offender or offenders to be committed to the House of Correction, to be there whipped and kept to hard labour for any time not exceeding fourteen days: And in case of a further conviction for a second or other subsequent offence, for embezzling or purloining any of the materials in the said act of the first year of her said late Majesty's reign mentioned, that the person or persons so offending shall, for every second or other subsequent offence forfeit four times the value of the damages which the owner or owners of such materials (whether the same be or be not made up or manufactured) shall sustain thereby, together with such costs of prosecution as shall be adjudged reasonable by the justice before whom such offender or offenders shall be respectively convicted: And in case immediate payment of the respective forfeitures, together

gether with such costs of prosecution as aforesaid, shall be neglected or refused to be made, that then such justice, or any other justice of the peace for the county, riding, division, city, town, or place, where such offences shall be committed, shall cause the said offenders to be committed to the House of Correction, to be there kept to hard labour for any time not exceeding three months, nor less than one month, as to such justice shall seem reasonable; and also during the time of such commitment, shall cause the said offender or offenders to be publicly whipped in the market town where such offender or offenders shall be respectively committed, at the market-place or cross of such town, once or oftener, as to such justice shall seem reasonable: And it is by the said act of the thirteenth year of his present Majesty's reign also further enacted, That every person or persons who shall buy or receive, accept or take, by way of gift, pawn, pledge, or sale, of or from any of the persons in the said act of the first year of her said late Majesty's reign mentioned, any woollen, linen, fustian, cotton, or iron manufactures, either before or after the same shall be manufactured or converted into merchantable wares, knowing the same to be so purloined or embezzled, and being thereof lawfully convicted, shall severally suffer the like forfeitures and penalties as are by the said acts respectively inflicted on persons purloining or embezzling such of the materials or manufactures enumerated in the said acts respectively; all which forfeitures, when recovered, are by the said act of the thirteenth year of his present Majesty's reign, directed to be applied in the manner following; that is to say, one moiety thereof to the use of the party or parties injured

injured, and the other moiety to the use of the poor of the parish only where the offence shall be committed, with the like liberty and benefit of appealing to all parties, as is given in and by the said act of the first year of her said late Majesty: And it is by the said act of the thirteenth year of his present Majesty's reign also further enacted, That if any person or persons hired or employed in cutting, paring, washing, dressing, sewing, making up, or otherwise manufacturing of gloves, breeches, leather, skins, boots, shoes, slippers, wares, or other goods or merchandizes, to be made use of in any of the trades or employments, or in manner last-mentioned, or in any branch or particular thereof, shall fraudulently purloin, embezzle, secrete, sell, pawn, or exchange, all or any part of the gloves, breeches, leather, skins, parings, or threads of gloves or leather, or other materials, with which he, she, or they shall be entrusted to work up or manufacture, or shall purloin, embezzle, secrete, sell, pawn, or exchange any gloves, breeches, boots, shoes, slippers, or wares when made, wrought up, or manufactured, or do or wilfully permit any other act, to lessen the value of each, or any part of such gloves, breeches, leather, skins, parings or threads of gloves or leather, boots, shoes, slippers, or other wares last particularized, either before or after the same shall be respectively so made into wares, and be thereof lawfully convicted, in manner prescribed by the said last-mentioned act, before one or more justice or justices of the peace, for the county, riding, division, city, town, or place, where such offence shall be committed, or where the party or parties so charged shall reside or inhabit, such justice or justices shall and may award the person

person or persons so offending, to make a reasonable and suitable recompence and satisfaction for every offence to the parties respectively injured, for the damage by them sustained, so as the same do not exceed double the value of the gloves, breeches, leather, boots, shoes, slippers, wares, goods, or materials, by such offender or offenders so purloined, or embezzled, secreted, sold, pawned, or exchanged; one half thereof to go to the party or parties grieved, and the other half to the use of the poor of the parish or place where such offence shall be committed; together with the full charges attending such conviction; to be levied by warrant under the hand and seal, or hands and seals, of such justice or justices, by distress and sale of the offender's goods; but if such offender or offenders shall not have goods sufficient to answer the forfeitures and the expences attending the premises, and shall also neglect or refuse immediately to pay the same, that then the said offender or offenders shall, by like warrant of such justice or justices last described, be for every distinct offence committed to the House of Correction, or other publick prison of such county, riding, city, town, or place, and there kept to hard labour for the space of fourteen days, and shall be there likewise whipped in such manner as the said justice or justices shall order and direct; and in case also of a subsequent conviction for a second or any other such like offence, that the person or persons so offending, for every second or other subsequent offence, shall forfeit four times the value of the damages which the owner or owners of such materials, either before or after the same shall be respectively made up into wares, shall sustain thereby, together with such costs
of

of prosecution as shall be adjudged reasonable by the justice, before whom such offender or offenders shall be respectively convicted; and in case immediate payment of the respective forfeitures, together with such costs of prosecution as aforesaid, shall be neglected or refused to be made, that then it shall and may be lawful to and for such justice to commit the offender or offenders last described to the House of Correction or other publick prison, to be there kept to hard labour, for any time not exceeding three months, nor less than one month, as to such justice shall seem reasonable; and also during the time of such commitment shall cause the said offender or offenders to be publickly whipped in the market town where such offender or offenders shall be respectively committed, at the market-place or cross of such town, once or oftener, as to such justice shall seem reasonable: And it is by the said act of the thirteenth year of his present Majesty's reign also further enacted, That every person and persons who shall knowingly or willingly buy or receive, accept or take, by way of pawn, pledge, sale, or any other manner, of or from any of the persons offending in either of the particulars last mentioned, or of or from any other person or persons whatsoever, (except of or from the person or persons in whom the property of such gloves, breeches, leather, boots, shoes, slippers, wares, goods, or other materials, shall be at the time of such sale, pawn or exchange) or offer so to do, such person or persons offending therein respectively, shall for every offence, being convicted thereof in manner before prescribed by the said last-mentioned act, make such suitable and reasonable recompence and satisfaction, within two days

days next after the matter or fact shall be determined by any one or more justice or justices as aforesaid, upon hearing the same or else be subject to such distress; and for want of sufficient distress, to be liable to the like punishment as is by the said act directed to be inflicted on such person or persons as shall purloin, embezzle, secrete, sell, pawn, or exchange any gloves, breeches, leather, boots, shoes, slippers, wares, goods, or other materials or effects of that sort as aforesaid, and so in like manner for any second and every other subsequent offence: And whereas the penalties and forfeitures to which offenders against the said acts are subjected, have not been sufficient to deter persons from committing the offences thereby intended to be prevented: And whereas many persons employed in the making of felts or hats, and in preparing or working up the manufactures of fur, hemp, flax, mohair, and silk, and also the manufactures made up of wool, fur, hemp, flax, mohair, cotton, or silk, or some of them mixed one with another, have of late been guilty of divers frauds and abuses, by purloining, embezzling, secreting, selling, pawning, exchanging, or otherwise unlawfully disposing of the materials with which they have been intrusted; and it is therefore become necessary to make provision for preventing such offences for the future, Therefore, for amending and rendering more effectual the said act made in the thirteenth year of his present Majesty's reign, and for extending the provisions and regulations therein and herein made, to the several manufactures herein before mentioned, be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and

Commons in this present parliament assembled,
 and by the authority of the same, That if any
 person or persons whatsoever, who shall be
 hired or employed to make any felt or hat, or
 to prepare or work up any woollen, linen, fus-
 sian, cotton, iron, leather, fur, hemp, flax,
 mohair, or silk manufactures, or any manu-
 factures made up of wool, fur, hemp, flax,
 cotton, mohair, or silk, or of any of the said
 materials mixed one with another, shall, from
 and after the twenty-fourth day of *June*, one
 thousand seven hundred and forty-nine, pur-
 loin, embezzle, secrete, sell, pawn, exchange,
 or otherwise unlawfully dispose of any of the
 materials with which he, she, or they shall be
 respectively intrusted, whether the same, or any
 part thereof, be or be not first wrought, made
 up, manufactured, or converted into merchant-
 able wares, or shall reel false or short yarn, and
 shall be thereof lawfully convicted, by the oath
 or (if the owner thereof be of the people called
Quakers) solemn affirmation of the owner of
 such goods or materials, or by the oath or af-
 firmation of any other credible witness or wit-
 nesses, or by the confession of the person or
 persons charged with such offence, before any
 one or more justice or justices of the peace of
 the county, riding, division, city, liberty,
 town, or place, where such offence shall be
 committed, or where the person or persons so
 charged shall reside or inhabit, which oath or
 affirmation the said justice or justices is and are
 hereby impowered and required to administer)
 it shall and may be lawful to and for the said
 justice or justices, by warrant under his or their
 hand and seal, or hands and seals, to commit
 the person or persons so convicted to the House
 of Correction, or other publick prison of such
 county,

Persons em-
 ployed in the
 manufactures
 herein particu-
 larized, being
 convicted of
 embezzling &c.
 any of the ma-
 terials,

or of reeling
 false or short
 yarn,

to be commit-
 ted.
 14th George 3,
 page 1049

county, riding, division, city, liberty, town, or place, there to be kept to hard labour for the space of fourteen days, and also to order the person or persons so convicted, to be once publickly whipt at the market-place, or some other publick place of the city, town or place where such offender or offenders shall be respectively committed; and in case of a further conviction, in manner before prescribed by this act, for or upon a second or other subsequent offence of the same kind, it shall and may be lawful to and for the justice or justices, before whom such conviction shall be had, to commit the person or persons so again offending to the House of Correction, or other publick prison as aforesaid, there to be kept to hard labour for any time not exceeding three months, nor less than one month, and also to order the person or persons so again offending, to be publickly whipped at the market-place, or some other publick place of the city, town, or place where such offender or offenders shall be respectively committed, twice or oftener, as to such justice or justices shall appear reasonable; any thing in the said act of the first year of her said late Majesty's reign, or in the said in part recited act of the thirteenth year of his present Majesty's reign, to the contrary in any wise notwithstanding.

And be it further enacted by the aushority aforesaid, That if any person or persons shall buy, receive, accept, or take by way of gift, pawn, pledge, sale, or exchange, or in any other manner whatsoever, of or from any person or persons hired or employed to make any felt or hat, or to prepare or work up the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, or silk manufactures, or any

and be publickly whipped.

Penalty of a further Conviction, or subsequent Offence.

Persons convicted of buying or receiving any of the Materials from the Workmen, without Consent of their Employers,

manufactures made up of wool, fur, hemp, flax, cotton, mohair, or silk, or of any of the said materials mixed one with another, any thrums or ends of yarn, or any other materials of wool, fur, hemp, flax, cotton, or iron, or any leather, mohair, or silk, whether the same, or any part thereof, be or be not first wrought, made up, or manufactured, knowing the person or persons of whom he, she or they so buy, receive, accept, or take the said materials, to be so hired or employed as aforesaid, and not having first obtained the consent of the person or persons so hiring or employing him, her, or them, who shall offer to sell, pawn, pledge, exchange, or otherwise dispose of the said materials, or shall buy, receive, accept, or take, in any manner whatsoever, of or from any other person or persons whomsoever, any of the said materials, whether the same be or be not first wrought, made up, or manufactured, knowing the same to be so purloined or embezzled, then, and in every such case, the person or persons so buying, receiving, accepting, or taking any such materials, being thereof lawfully convicted, in manner before prescribed by this act, for the conviction of persons purloining or embezzling the said materials, shall

to forfeit for
the first Of-
fence 20l. and
on Nonpay-
ment of the
Penalty, to be
committed.

for the first offence, forfeit the sum of twenty pounds; and in case the said forfeiture shall not be immediately paid, the justice or justices before whom such conviction shall be had, shall commit the party or parties so convicted to the House of Correction, or other publick prison as aforesaid, there to be kept to hard labour, for the space of fourteen days, unless the said forfeiture shall be sooner paid; and if within two days before the expiration of the said fourteen days, the said forfeiture shall not be paid, the

the said justice or justices is and are hereby im-
 powered and required to order the person or
 persons so convicted, to be publickly whipped <sup>and to be pub-
 lickly whip-</sup>
 at the market place, or some other publick ^{ped ;}
 place of the city, town, or place, where such
 offender or offenders shall be respectively com-
 mitted, once or oftner, as to such justice or
 justices shall appear reasonable; and in case of <sup>and in case of
 a further Con-</sup>
 a further conviction, for or upon a second or ^{viction, or sub-}
 any other subsequent offence of the same kind, ^{sequent Of-}
 the person or persons so again offending, being ^{sence,}
 thereof convicted in manner before prescribed
 by this act, shall, for every second or other
 subsequent offence, forfeit the sum of forty ^{to forfeit 40l.}
 pounds ; and in case the said forfeiture shall ^{&c.}
 not be immediately paid, the justice or justices
 before whom such conviction shall be had, shall
 commit the party or parties so convicted to the
 House of Correction, or other publick prison
 as aforesaid, there to be kept to hard labour
 for any time not exceeding three months, nor
 less than one month, unless the said forfeiture
 shall be sooner paid ; and if within seven days
 before the expiration of the time for which
 such offender or offenders shall be so commit-
 ted, the said forfeiture shall not be paid, the
 said justice or justices is and are hereby impow-
 ered and required to order such offender or of-
 fenders to be publickly whipped at the market
 place, or some other publick place of the city,
 town, or place, where he, she, or they shall
 be respectively committed, twice or oftner,
 as to such justice or justices shall appear rea-
 sonable ; and the said respective forfeitures of <sup>Application of
 the Forfeitures.
 17 George 3d,
 Page 340.</sup>
 twenty pounds and forty pounds, when reco-
 vered, after satisfaction shall have been made
 thereout to the party or parties injured, to-
 gether with such costs of prosecution as shall
 be

be judged reasonable by the justice or justices before whom such conviction shall have been had, shall be equally distributed amongst the poor of the parish or place where the person or persons so convicted shall reside or inhabit; any thing in the said two first-mentioned acts, or either of them, to the contrary in any wise notwithstanding.

Liberty of Appeal given to Persons convicted of buying or receiving any of the said Materials.

Provided always, and it is hereby enacted,

That if any person convicted as aforesaid, of buying, receiving or taking to pawn, any of the materials herein before mentioned, shall think himself or herself aggrieved by the judgment of the justice or justices, before whom he or she shall have been convicted, such person shall have liberty to appeal to the justices, at the next general or quarter sessions of the peace, which shall be held for the county, riding, division, city, liberty, town, or place, where such judgment shall have been given; and that the said execution of the said judgment shall in such case be suspended, the person so convicted entering into a recognizance at the time of such conviction, with two sufficient sureties, in double the sum which such person shall have been adjudged to forfeit, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment and determination of the justices in the said general or quarter sessions; which recognizance the said justice or justices, before whom such conviction shall be had, is and are hereby impowered and required to take; and the justices, in the said general or quarter sessions, are hereby authorized and required to hear and finally determine the matter of the said appeal, and to award such costs as to them shall appear just and reasonable to be paid by either party; and if upon the hearing of

In such Case Execution to be suspended, the Appellant entering into Recognizance, and giving Security, &c.

Justices at the quarter sessions to determine the appeal, &c.

of the said appeal, the judgement of the justice or justices, before whom the appellant shall have been convicted, shall be affirmed, such appellant shall immediately pay the sum which he or she shall have been adjudged to forfeit, together with such costs as the justices in the said general or quarter-sessions, shall award to be paid him or them for defraying the expences sustained by the defendant or defendants in such appeal; or in default of making such payments, shall suffer the respective pains and penalties by this act inflicted upon persons who shall neglect to pay, or shall not pay the respective forfeitures by this act imposed upon such as shall be convicted of buying, receiving, or taking to pawn any of the materials herein before-mentioned, which shall have been purloined or embezzled.

And be it further enacted by the authority afore- ^{justices im-}
said, That if any person or persons shall be ^{powered to}
 charged with, and afterwards convicted of ^{grant a warrant}
 purloining or embezzling any of the afore- ^{to search the}
 said materials, or of buying or receiving the same ^{houses, &c. of}
 in manner before described, it shall and may ^{persons con-}
 be lawful to and for the justice or justices of ^{vinced of pur-}
 the peace, before whom such conviction shall ^{loining &c. any}
 be had, to issue a warrant under his or their ^{of the materials,}
 hand and seal, or hands and seals, directed to ^{&c.}
 any person or persons, empowering him or
 them, in the presence of a constable or head-
 borough, and in the day time, to enter into
 and search the houses, out-houses, shops, cel-
 lars, vaults, and other places belonging to the
 person or persons so convicted as aforesaid; and
 if upon any such search or searches, there shall
 be found any thrums or ends of yarn, or any
 other materials of wool, fur, hemp, flax, cot-
 ton, iron, leather, mohair, or silk, it shall
 and

the persons
from whose
houses such
materials were
taken, proving
their property
therein, to
have them re-
stored;

if not they are
to be sold, and
the Money dis-
tributed among
the Poor.

and may be lawful to and for the person or persons impowered to make such search or searches as aforesaid to bring such materials before the said justice or justices, to be by him or them detained and kept in safe custody; and if within the space of twenty-four days next after such thrums, or ends of yarn, or other materials shall be so taken and detained, it shall be made appear to the satisfaction of the said justice or justices, that the person or persons from whose houses, out-houses, shops, cellars, vaults or other places as aforesaid, the said materials shall be so taken and detained, is or are the lawful owner or owners thereof, and came to the possession of the same in an honest and lawful manner, then all such thrums or ends of yarn, or other materials so taken and kept as aforesaid, shall be restored to the person or persons out of whose custody or possession the same shall have been so taken; but in case it shall not be made appear within the time before limited, to the satisfaction of the said justice or justices, that the person or persons convicted as aforesaid, is or are the lawful owner or owners of the said materials so taken and detained as aforesaid, then, and in every such case, the said materials shall be deemed and adjudged to be purloined or embezzled; and it shall and may be lawful to and for the said justice or justices to direct all such thrums or ends of yarn, or other materials, to be publicly sold, and the money arising by such sale (the charges of such sale being first deducted) to be equally distributed amongst the poor of the parish or place where the person or persons so convicted shall reside or inhabit.

Provided always, and it is hereby enacted, That the said justice or justices shall, within three days

days after such materials shall be brought to him or them as aforesaid, give notice thereof in writing under his or their hand and seal, or hands and seals, to the person or persons convicted as aforesaid, appointing in such notice a time and place for his, her or their attending, in order to make out and prove his, her, or their property in such materials so taken and detained as aforesaid; which time so to be appointed, shall be within twenty-one days, and not less than eighteen days after such notice given; and if the person or persons so convicted, shall be detained in any house of correction, or other prison as aforesaid, the said justice or justices shall also cause a copy of the said notice, attested under his or their hand and seal, or hands and seals, to be delivered to the master or keeper of such house of correction, or other prison; which master or keeper is hereby required to bring, or cause to be brought, before such justice or justices, the person or persons named in such notice, at the time and place therein specified, if the person or persons named in such notice be then in the custody of such master or keeper; and if any such master or keeper shall neglect or refuse so to do, such master or keeper shall, for every such neglect or refusal, forfeit to the person or persons respectively named in such notice, the full value of the materials so taken, detained, and sold; to be recovered by distress and sale of the goods and chattles of such master or keeper, by warrant under the hand and seal, or hands and seals, of the justice or justices signing such notice, in case the said forfeiture shall not be immediately paid.

Justices to give Notice to the Convict of the Materials brought to him in order to prove his Property therein &c.

Penalty on the Keeper of the Prison not bringing the Prisoner.

Provided also, and it is hereby further enacted, That if any person shall think himself or herself

Persons aggrieved may appeal.

Notice of Ap-
peal to be
given.

Justices at their
Quarter Ses-
sions to deter-
mine the Ap-
peal, &c.

Penalty on
Workmen not
returning the
Remains of

aggrieved by the judgment or order of the said justice or justices, relating to the sale or disposal of the said materials so found and detained as aforesaid, such person shall have liberty to appeal against the judgment or order of the said justice or justices, to the justices of the peace in the general or quarter sessions of the peace which shall be held for the same county, riding, division, city, liberty, or town corporate, next after such judgment or order shall be given or made; and that in the mean time the sale and disposal of such materials shall be postponed: Notice in writing under the hand of the person intending to appeal, signifying such his or her intention, being given to the justice or justices by whom such order shall have been made before the time appointed for the sale and disposal of such materials; and the justices of the peace in the said general or quarter sessions of the peace are hereby authorized and impowered to summon and examine witnesses upon oath, (or being of the people called *Quakers*, upon their solemn affirmation) and to hear and finally determine the matter of the said appeal; and in case the said appellant shall not prosecute such his or her appeal, or for any other cause the judgment of the said justice or justices by whom such order shall have been made shall be affirmed, it shall and may be lawful to and for the justices in the said general or quarter sessions of the peace to award such costs as they, in their discretion, shall think reasonable, to be paid by the appellant for defraying the expences sustained by the defendant or defendants in such appeal.

And be it further enacted by the authority aforesaid, That if any person or persons entrusted with any of the materials herein before-mentioned,

oned, in order to prepare, work up, or manufacture the same, shall not use all such materials in the preparing, working up, or manufacturing of the same, and shall neglect or delay, for the space of twenty-one days after such materials shall be prepared, worked up, or manufactured, to return (if required by the owner or owners of such materials so to do) so much of the said materials as shall not be used as aforesaid, to the person or persons entrusting him, her, or them therewith, such neglect or delay shall be deemed and adjudged to be an embezzling or purloining of such materials; and the person or persons so neglecting or delaying, being thereof convicted, in manner before prescribed for the conviction of offenders against this act, shall suffer the like punishment as persons convicted of embezzling or purloining any of the materials herein before-mentioned, are by this act rendered subject and liable to.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any one justice of the peace of any county, riding, division, city, liberty, town, or place, and he is hereby required, upon complaint to him made upon oath, or (if the person complaining be of the people called *Quakers*) solemn affirmation, of any offence committed against this act within the same county, riding, division, city, liberty, town, or place, to issue his warrant for apprehending and bringing before him, or before any other justice or justices of the peace of the same county, riding, division, city, liberty, town, or place, the person or persons charged with such offence; and the justice or justices, before whom such person or persons shall be brought, is and are hereby au-

the Materials,
within 21
Days, after
the Work is
made up.

Justice to issue
his Warrant
upon Com-
plaint on Oath
of any Offence
against this
Act, and to
determine the
same.

thorized and required to hear and determine the matter of every such complaint, and to proceed to conviction and judgment thereupon.

Journeymen
not complet-
ing their
Work for
which they
were employ-
ed, &c.

to be commit-
ted.

And, for the better regulating of the journeymen, and other persons employed as manufacturers or workers in the manufacture of felts or hats, and in the woollen, linen, fustian, cotton, iron, mohair, fur, hemp, flax, or silk manufactures, or any manufactures made up of wool, fur, hemp, flax, linen, cotton, mohair or silk, or any of the said materials mixed one with another; be it further enacted by the authority aforesaid, That if any person who, at any time after the said twenty-fourth day of June, one thousand seven hundred and forty-nine, shall be hired, retained, or employed to prepare or work up any of the manufactures herein before mentioned for any one master, shall neglect or refuse the performance thereof, by procuring or permitting himself or herself to be subsequently retained or employed by any other master or person whatsoever, before he or she shall have completed the work which he or she was first and originally so hired, retained, or employed to perform, and which was first delivered to him or her; then, and in every such case, the person so offending, being thereof lawfully convicted by the oath, or (being of the people called *Quakers*) affirmation of one or more credible witness or witnesses, before one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where the offence or offences shall be committed, and be sent to the House of Correction, there to be kept to hard labour for any time not exceeding one month.

Provided always, and it is hereby enacted and declared,

declared, That this act, or any thing therein contained, shall not extend or be construed to extend to repeal any of the provisions mentioned and contained in an act made in the thirteenth and fourteenth year of the reign of King Charles the second, intituled, *An act for the regulating the trade of silk throwing*; or in an act made in the twentieth year of the reign of King Charles the second, intituled, *An act to regulate the trade of silk throwing*; or in an act made in the eighth and ninth years of the reign of King William the third, intituled, *An act for the further encouragement of the manufacture of lustrings and alamodes within this realm, and for the better preventing the importation of the same; for the punishment of silk winders, doublers, and other persons convicted of purloining, embezzling, pawning, selling or detaining any silk delivered them to wind, double, or work up, or after the same is wrought up, and of the buyers, receivers, or persons taking to pawn any silk so embezzled or purloined* but that the same provisions shall remain in full force, and the penalties and forfeitures to which offenders against the said acts are hereby respectively subjected, may be levied, recovered, and inflicted, in the same manner as such penalties and forfeitures might have been levied, recovered, and inflicted, before the making of this act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Limitation of
the Powers of
this Act.

Act 13 and 14
Car. II.

Act 20 Car. II.

Act 8 and 9
William III.

Provided nevertheless, and it is hereby further enacted and declared, That no person shall, by virtue of the said acts herein before last mentioned, or of this act, suffer or be liable to suffer the punishments thereby inflicted, twice for one and the same fact or offence.

None to be pun-
ished twice
for the same
offence.

And

Recital of several clauses in an act of 12th Geo. I.

And whereas by an act made in the twelfth year of the reign of his late Majesty King George the first, intituled, *An act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages*, all contracts, covenants or agreements, and all by-laws, ordinances, rules, or orders, made or entered into, or hereof to be made or entered into, by or between any persons brought up in, or professing, using or exercising the art and mystery of a wool-comber, or weaver, or journeyman wool-comber, or journeyman weaver, in any parish or place within this kingdom, for regulating the said trade or mystery, or for regulating or settling the prices of goods, or for advancing their wages, or for lessening their usual hours of work, are declared to be illegal, null, and void to all intents and purposes: And it is, by the said last-mentioned act (amongst other things) enacted, That if any wool-comber, or weaver, or journeyman wool-comber, or journeyman weaver, or other person concerned in any of the woollen-manufactures of this kingdom, shall at any time keep up, continue, act in, make, enter into, sign, seal, or be knowingly concerned in any contract, covenant, or agreement, by-law, ordinance, rule, or order of any club, society, or combination, by the said act declared to be illegal, or shall presume or attempt to put any such illegal agreement, by-law, ordinance, rule, or order in execution, every person so offending, being thereof lawfully convicted in manner prescribed by the said act, shall at the discretion of the justices of the peace, before whom such conviction shall be had, be committed either to the House of Correction, there to be kept to hard labour for any time not exceeding three months, or to the

common goal of the county, city, town, or place, where such offence shall be committed, there to remain without bail or mainprize, for any time not exceeding three months : And it is, by the said last-mentioned act, also further enacted, That if any person retained or employed as a wool-comber or weaver, or servant in the art or mystery of a wool-comber or weaver, shall depart from his service before the end of the time for which he is hired or retained, or shall quit or return his work before the same shall be finished according to agreement, unless it be for some reasonable cause to be allowed by two or more justices of the peace within their respective jurisdictions, every person so offending, being thereof convicted in manner prescribed by the said act, shall be committed to the House of Correction, there to be kept to hard labour for any time not exceeding three months; and if any wool-comber, weaver, servant, or person hired, retained, or employed in the said art or mystery, shall wilfully damnify, spoil, or destroy (without the consent of the owner) any of the goods, wares, or work committed to his care or charge, or wherewith he shall be entrusted, such offender being thereof convicted, shall forfeit and pay to the owner or owners of such goods or wares so damnified, spoiled, or destroyed, double the value thereof; to be levied by distress and sale of the offender's goods and chattles, by warrant or warrants under the hands and seals of any two or more justices of the peace, within their respective jurisdictions; and, for want of sufficient distress, such justices shall commit the party or parties offending to the House of Correction, there to be kept to hard labour, for any time not exceeding three months

or

Full wages to
be paid jour-
neymen in
money.

Justices to issue
their warrant,
for levying wa-
ges by distress.

or until satisfaction be made to the party or parties aggrieved for the same: And it is, by the said last-mentioned act, also further enacted, That every clothier, serge-maker, or woollen or worsted stuff-maker, or person concerned in making any woollen-cloths, serges, or stuffs, or concerned in employing wool-combers, weavers, or other labourers in the woollen-manufactory, shall pay to all persons by them employed on the woollen manufacture, the full wages, or other price agreed on, in good and lawful money of this kingdom, and shall not pay the said wages, or other price agreed on, or any part thereof in goods, or by way of truck, or *in any other manner than in money*, or make any deduction from such wages or price, for or on account of any goods sold or delivered previous to such agreement, by any person or persons whatsoever; And for the more easy recovery of the said wages, or price agreed on, any two or more justices of the peace, within their respective jurisdictions, are authorized and required, upon complaint made for that purpose, to summon before them the party or parties offending, and for non-payment of such wages or price agreed on, in money as aforesaid, or sufficient satisfaction given for the same, to the good liking of the party or parties aggrieved, to issue their warrant or warrants under their hands and seals, for levying such wages or price due as aforesaid, by distress and sale of the offender's goods and chattles, rendering the overplus to the owner; and for want of sufficient distress, to commit the party or parties offending to the common goal of the county, city, town, or place, where such offence shall be committed, there to remain without bail or mainprize for the space of six months, or until
he,

he, she, or they shall pay such wages, or price agreed on, in money as aforesaid, or give full satisfaction for the payment of the same, to the good liking of the party grieved.

And it is, by the said last-mentioned act, also <sup>Penalty on pay-
ing wages in
goods,</sup> *further enacted, That if any clothier, serge-
maker, woollen or worsted stuff maker, or
person concerned in making any woollen-
cloths, serges, or stuffs, or any way concerned
in employing wool-combers, weavers, or other
labourers in the woollen manufactory, shall
pay any person or persons employed by them,
their wages, or other price agreed on, or any
part thereof, either in goods, or by way of
truck, or in any other manner than in money,
every person so offending, shall also forfeit and
pay the sum of ten pounds, one moiety thereof
to the informer, and the other moiety to the
party or parties aggrieved, to be levied by
distress and sale of the offender's goods as
aforesaid, rendering the overplus (if any be)
to the owner: And it is, by the said last-men-
tioned act, also provided, That it shall be
lawful for any person aggrieved by any order
or orders to be made by any two or more jus-
tices of the peace as aforesaid, to appeal to
the justices of the peace at the next general
quarter sessions to be holden for the county,
city, division, parish, or place, where such
order shall be made, giving reasonable notice
of such appeal, the reasonableness of which no-
tice shall be determined by the justices at the
quarter sessions to which such appeal is made;
and if it shall appear to them, that reasonable
time of notice was not given, then they shall
adjourn the said appeal to the next quarter ses-
sions, and then and there finally hear and de-
termine the same; and the justices, who in the*

D

general

general quarter sessions shall hear the matter, shall have power to award reasonable costs to either party, as to them shall seem just : And it is, by the said last-mentioned act also further enacted, That if any person or persons shall assault or abuse any master wool comber, master weaver, or other person concerned in any of the woollen-manufactures, whereby any such master or other person shall receive any bodily hurt, for not complying with, or not conforming, or not submitting to any such illegal by-laws, ordinances, rules, or orders aforesaid; or if any person or persons shall write, or cause to be written, or knowingly send, or cause to be sent, any letter, or other writing or message, threatening any hurt or harm to any such master wool-comber, or master weaver, or other person concerned in the woollen-manufacture, or threatening to burn, pull down, or destroy any of their houses, or out-houses, or to cut down or destroy any of their trees, or to maim or kill any of their cattle, for not complying with any demands, claims, or pretences of any of his or their workmen, or others employed by them in the said manufacture, or for not conforming, or not submitting to any such illegal by laws, ordinances, rules, or orders as aforesaid, every person so knowingly and willingly offending in the premises, being thereof lawfully convicted upon any indictment to be found within twelve calendar months next after any such offence committed, shall be adjudged guilty of felony, and shall be transported for seven years to some or one of his Majesty's colonies or plantations in *America*, by such ways and means, and in such manner, and under such pains and penalties, as felons in other cases are by law to be transported :

transported : And whereas it is necessary that the said several provisions and regulations in the said last in part recited act should be extended to journeymen dyers, journeymen hot-pressers, and all other persons employed in the woollen-manufactures of this kingdom, and also to journeymen, servants, workmen, and labourers employed in the making of felts or hats, and in the manufacturers of silk, mohair, fur, hemp, flax, linen, cotton, fustian, iron, and leather, or any manufactures made up of wool, fur, hemp, flax, cotton, mohair or silk, or any of the said materials mixed one with another ; be it therefore enacted by the authority aforesaid, That the said several before recited clauses in the said act, made in the 12th year of his said late Majesty's reign, and all the provisions, regulations, pains, penalties, and forfeitures therein contained, shall, from and after the said twenty-fourth day of *June*, one thousand seven hundred and forty-nine, extend and be construed, deemed, and adjudged to extend to journeymen dyers, journeymen hot-pressers, and all other persons whatsoever employed in or about any of the woollen-manufactures of this kingdom, and also to journeymen, servants, workmen, and labourers, and all other persons whatsoever employed in the making of felts or hats, or in or about any of the manufactures of silk, mohair, fur, hemp, flax, linen, cotton, fustian, iron, or leather, or in or about any manufactures made up of wool, fur, hemp, flax, cotton, mohair, or silk, or any of the said materials mixed one with another, in as full and ample manner as the said provisions, regulations, pains, penalties, and forfeitures, are by the said last mentioned act declared to extend to the several and

The provisions and regulations in the clauses of the recited act, to extend to persons employed in the manufactures herein enumerated.

Penalties and forfeitures to be inflicted and levied, as in the said act is directed, and respective persons therein named; and the pains, penalties and forfeitures which shall be incurred by reason of any offence committed against the said last-mentioned act, by any person or persons employed or concerned in or about any of the said manufactures, herein before enumerated, shall be inflicted, levied, and recovered, in the same manner as the pains, penalties, and forfeitures, contained in the said last in part recited act, are directed to be inflicted, levied, and recovered, upon and against the several and respective persons therein mentioned.

Anno

Anno Decimo Quarto

Georgii II. Regis.

CHAP. XLIV.

An act to amend an act, made in the twenty-second year of the reign of his late Majesty King George the second, intituled, *An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers, and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages.*

WHEREAS by an act of parliament ^{Preamble.} made in the twenty-second year of the reign of his late Majesty King George ^{Act 22 Geo. II.} the Second, intituled, *An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages;* certain

repealed, concerning the reeling short yarn.

Penalties inflicted by this act for reeling short yarn.

15th Geo. III.
p. 376 and 377

for the first offence, not exceeding 20s.

certain punishments, therein mentioned, are to be inflicted upon all persons who shall reel false or short yarn : And whereas it hath been found by experience, that the punishments directed to be inflicted by the said act for reeling false or short yarn are too severe, on which account offenders go frequently unpunished, and many honest industrious persons are deterred from spinning; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, so much of the said recited act as subjects any person or persons to any punishment whatsoever for reeling false or short yarn, shall be, and the same is hereby repealed.

And, in order to prevent persons reeling false or short yarn for the future, be it further enacted, That from and after the passing of this act, *if any person or persons shall reel false or short yarn, and shall be thereof lawfully convicted by the oath of the owner of such yarn; or in case such owner is one of the people called Quakers, then upon the solemn affirmation of such owner, or of any other credible witness or witnesses, or by the confession of the person or persons charged with such offence, before any one or more justice or justices of the peace, of the county, riding, division, city, liberty, town, or place, where such offence shall be committed, or where the person or persons so charged shall reside or inhabit, (which oath such justice or justices is and are hereby impowered and required to administer) shall for the first offence forfeit and pay any sum not exceeding twenty shillings*

shillings, nor less than five shillings; and for the second offence, any sum not exceeding five ^{for the second,} pounds, nor less than forty shillings; and for ^{five pounds.} the third, and every other offence, it shall and may be lawful to and for such justice or justices ^{and, for the} of the peace to commit the person or persons ^{third, imprison-} so convicted to the house of correction, or other ^{ment for one} publick prison of such county, riding, divi- ^{Month and be} sion, city, liberty, town, or place, there to be kept to hard labour for the space of one calendar month, and also to order the person or persons so convicted to be once publicly whipped at the nearest market town to where the offence was committed, and upon a market-day; all which penalties and forfeitures shall go to the party aggrieved.

And be it further enacted, That the justice or justices before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following; that is to say:

BE it remembered, That on the
 day of _____ in the year of our ^{Form of Con-}
 Lord _____ ^{viction.} A. B. is convicted before
 me, or us, _____ of his Majesty's justices of
 the peace, for
*[specifying the offence and the time and place
 when and where the same was committed, and
 also specifying that it was the first, second, or third
 offence against this act, as the case shall be.]*

*Given under my hand and seal, or our hands and
 seals, the day and year aforesaid.*

Which conviction the said justice or justices ^{Conviction to}
 shall cause to be fairly wrote on parchment and ^{be wrote on}
 returned to the next general quarter session of ^{parchment and}
 the peace for the county, riding, division, city, ^{returned to the}
 liberty, ^{next general}
 quarter session.

liberty, town, or place, where such conviction was made, to be filed by the clerk of the peace, and remain and be kept among the records of such county, riding, division, city, liberty, town, or place.

Convictions
may be deli-
vered to per-
sons on paying
2s. each Copy.

Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for any clerk of the peace where any such conviction shall be filed as aforesaid, and he is hereby required, upon application made to him by any person or persons for that purpose, to cause a copy or copies of any conviction or convictions, filed by him under the directions of this act, to be forthwith delivered to such person or persons, upon payment of one shilling for every such copy.

Persons may
appeal to the
Quarter Sessions

Provided nevertheless, That if any person or persons, who shall be convicted as aforesaid, shall be desirous of appealing to the next general or quarter sessions of the peace to be holden for the county, riding, city, or place, wherein the cause of complaint shall arise, such person may, at the time of such conviction, enter into a sufficient recognizance conditioned to try such appeal, abide the order of, and pay such costs as shall be adjudged by the justices at such sessions; and the said justices, at such sessions, shall and are hereby authorised and required to take cognizance of such appeal, and may affirm such conviction, and award such costs, as they the said justices shall think proper: And in case the same are not paid, according to the order of the said justices, such costs may be recovered by distress and sale of the goods and chattles of the person who ought to pay the same by warrant under the hand and seal of any justice of the peace for the county, riding, division, city, liberty, town, or place, where such

entering into
Recognizance.

If Costs be not
paid according
to Order of the
Justices, they
may be levied
by Distress, &c.

such person shall be or reside ; and if no goods and where
 and chattles belonging to such person can be ^{there are no}
 found, sufficient to pay the costs and the ^{goods, the}
 charges of making such distress, the said just- ^{persons to be}
 tices may cause the person to be committed to ^{committed.}
 the common goal of the county, riding, divi-
 sion, city, liberty, town, or place, there to
 remain, without bail or mainprize, for the
 space of three calendar months ; and the deter-
 mination of the said sessions shall be final, bind-
 ing, and conclusive, to all intents and pur-
 poses : And no order made concerning any of ^{Proceedings}
 the matters aforesaid, or any other proceedings ^{not to be quash-}
 to be had touching the conviction or convicti- ^{ed for want of}
 ons of any offender against this act, shall be ^{form.}
 quashed or vacated for want of form, or be
 removed by Certiorari, or any other writ or
 process whatsoever, into any of his Majesty's
 Courts of record at Westminster.

E

Anne

Anno Decimo Quinto

Georgii III. Regis.

CAP. XIV.

An act to explain and amend an act, made in the fourteenth year of his present Majesty, intituled, *An act to amend an act, made in the twenty second year of the reign of his late Majesty King George the Second, intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, bemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot pressers and of all persons employed in the said several manufactures; and for the better payment of their wages.*

Preamble.

Act 14 Geo. 3.

WHEREAS by an act, made in the fourteenth year of the reign of his present Majesty, (intituled, *An Act to amend an Act, made in the twenty second year of the reign of his late Majesty King George the Second, intituled, "An Act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, bemp, flax, mohair, and silk manufactures; and for preventing unlawful combinationsa-*

tions of journeymen dyers and journeymen bot-
pressers, and of all persons employed in the said
several manufactures; and for the better pay-
ment of their wages;") certain penalties therein
 mentioned are inflicted on persons convicted of
 reeling false or short yarn, but no provision is
 made for recovery of the said penalties, or of
 the costs and charges attending such prosecu-
 tions, by means whereof the good purposes in-
 tended by the said act are rendered ineffectual;
 may it therefore please your Majesty that it may
 be enacted; and be it enacted by the King's
 most excellent Majesty, by and with the advice
 and consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present parliament
 assembled, and by the authority of the same,
 That from and after the passing of this act, ^{after passing A.}
 the several pecuniary penalties inflicted by the ^{this act the}
 said act upon persons who shall be convicted of ^{several Penal-}
 reeling false or short yarn, ^{ties inflicted by} *together with the costs* ^{Act 14 Geo. III.}
and charges attending such prosecutions, shall (in ^{on Persons reel-}
 case the same are not paid according to the or- ^{ing short Yarn,}
 der of the justice or justices before whom such ^{&c. to be levied}
 person or persons shall be so convicted) ^{by distress of} *be levied* ^{the Offenders}
by distress and sale of the goods and chattles of the
offender or offenders, by warrant or warrants un-
der the hand and seal, or hands and seals, of
the justice or justices before whom such offender
or offenders shall be so convicted, together with
the costs and charges of making such distress and
sale; and if no goods and chattles belonging ^{and if no goods}
 to such offender or offenders can be found suf- ^{sufficient can}
 ficient to answer the said penalties, together ^{be found, they}
 with the costs and charges of such distress and ^{are to be com-}
 sale, then such justice or justices shall and may ^{mitted for one}
 cause such offender or offenders to be commit-
 ted to the common gaol, or house of correction,
 of the county, riding, division, city, liberty,

town, or place, where such offence shall be committed, there to remain without bail or mainprize for the space of one calendar month, unless such penalties and forfeitures, and the reasonable charges of such distress and sale shall be sooner paid and satisfied.

If Persons
think them-
selves aggrieved
they may appeal
to the Sessions;

and the Deter-
mination of the
Justices to be
final.

Provided nevertheless, and be it further enacted, That if any person or persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this act, it shall and may be lawful for such person or persons to appeal to the justices of the peace, at the next general or quarter sessions of the peace to be holden for the county, riding, city, or place, where the cause of complaint shall arise; and the justices in their said general or quarter sessions, are hereby required to hear and determine the matter of every such appeal, and to make such order therein, as to them shall seem reasonable and according to the true intent and meaning of this act; which determination of the said justices in sessions, on every and any such appeal, shall be and are hereby declared to be final and conclusive.

Anno

Anno Decimo Septimo

Georgii III. Regis.

CAP. XI.

An act for more effectually preventing frauds and abuses committed by persons employed in the manufactures of combing wool, worsted yarn, and goods made from worsted, in the counties of York, Lancaster, and Chester.

WHEREAS by an act made in the ^{Preamble.} twenty-second year of the reign of his late Majesty King George the ^{Acts} _{22 Geo. II.} Second, intituled, *An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen bot pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages:* And by another act, made in the _{14 Geo. III.} fourteenth year of the reign of his present Majesty King George the Third, intituled, "An act to amend " an act made in the twenty-second year of the " reign of his late Majesty King George the " Second," intituled, *An act for the more effectual preventing of frauds and abuses, committed by persons employed in the manufacture of hats,* and

and 15 Geo. III.
recited.

and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages: And by another act, made in the fifteenth year of the reign of his said present Majesty, intituled, "An act to explain and amend "an act made in the fourteenth year of his "present Majesty, intituled, An Act to amend "an act made in the twenty second year of the "reign of his late Majesty King George the "Second," intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages: Certain penalties and punishments, in the said acts respectively mentioned, are inflicted up all persons who shall reel false or short yarn, and on persons embezzling the materials used in the said manufactures: And whereas the good purposes of the said laws have been greatly frustrated, from the manufacturers of combing wool, worsted yarn, and goods made from worsted, being unwilling to expose themselves singly to the loss attending the resentment of the spinners and work people, by prosecuting them for offences against the said acts: And whereas this important branch of the woollen manufactory will be greatly prejudiced thereby, unless the manufacturers are enabled jointly to carry these laws into effectual execution;

execution; which cannot be done without the
 aid of parliament: May it therefore please
 your Majesty that it may be enacted; and be
 it enacted by the King's most excellent Majes-
 ty, by and with the advice and consent of the
 Lords Spiritual and Temporal, and Commons
 in this present parliament assembled, and by
 the authority of the same, That a general meet-
 ing of the manufacturers of combing wool, General Meet-
ing of Manu-
facturers ap-
pointed :
 worsted yarn, and goods made from worsted,
 in the counties of *York, Lancaster. and Chester,*
 shall be held at *Halifax*, in the county of *Yora*,
 on the second Monday in the month of *June*
 next ensuing after the passing of this act, at the
 hour of eleven of the clock in the forenoon of
 the same day, notice of which shall be given
 in the *Leeds* and *Manchester* newspapers, at
 least twenty-one days before the said meeting,
 by the clerk of the peace for the West-riding
 of the county of *York*; at which said general
 meeting the said manufacturers present, by
 themselves, or proxies appointed by writing
 under the hand of any of such manufacturers,
 shall have votes; and having first chosen a
 chairman, the *Yorkshire* manufacturers shall
 elect, nominate, and appoint eighteen persons Those of York-
shire to elect 18
and those of
Lancashire and
Cheshire 9 Per-
sons, to be a
Committee.
 from amongst themselves, and the *Lancashire*
 and *Cheshire* manufacturers shall elect, nominate
 and appoint nine persons from amongst them-
 selves; which said eighteen and nine persons
 so to be elected, shall be a committee of the
 said manufacturers for the time being, and un-
 til another committee shall be chosen and ap-
 pointed in the manner herein-after provided,
 and so as often as there shall be occasion; which
 committee are hereby authorised and impow-
 ered to nominate and recommend two or more
 proper persons, to be licensed by the justices
 of

Inspectors to
manage all
Prosecutions

of the peace of the West-riding of the county of York, at any of their quarter sessions for the said riding, or any adjournment thereof, to be inspectors for the purposes herein-after mentioned, and also to have the direction of all prosecutions of offenders against this and the said before-mentioned acts, and the management of the fund herein-after to be created, and to do all other matters and things which may be deemed necessary and proper for the carrying this act into execution, in such manner as the said committee of the manufacturers for the time being, or any seven or more of them, at a public meeting to be assembled, shall judge and think best for the interest and advantage of all the said manufacturers.

Committee to
appoint a Clerk.

And be it further enacted, That it shall and may be lawful to and for the said committee, or the greater part of them, at any general meeting assembled (and they are hereby authorised and required) from time to time to nominate and appoint, by writing under their hands, a proper person to be their clerk; which said clerk shall attend the meetings of the said committee, and shall, in proper books to be provided for that purpose, enter and keep true and perfect accounts of all the acts, proceedings, and transactions of the said committee; and that each and every of the said manufacturers shall and may at all convenient times have recourse to, and peruse and inspect, all such books *gratis*, and may demand and have copies thereof, or of any part thereof, paying two-pence for every one hundred words to be so copied; and if the clerk shall refuse to permit any such manufacturer to inspect such books, or refuse to make copies or extracts thereof, at the rate or times aforesaid, he shall, for

His Duty.

for every such offence, forfeit the sum of five pounds, to be recovered in such manner as any other penalty inflicted by this act is directed to be recovered.

And be it further enacted, That, for the purposes afore-^{Quarterly}said, a meeting of the said commit^{Meetings ap-}tee, for the time being, shall be held four times pointed, in every year; (that is to say) on the *Monday* before *Midsummer Day*, on the *Monday* before *Michaelmas Day*, on the *Monday* before the *Epiphany*, and on the *Monday* before *Easter-Day*, at eleven of the clock in the forenoon of each and every of the said days, who shall have power to adjourn themselves from time to time as occasion may require; three of which said quarterly meetings of such committee shall be held at some place or places within the county of *York*, and the other quarterly meeting shall be held at some place within the county of *Lancaster*; the first of which said quarterly meetings shall be held on the first of the said days on which the said quarterly meetings are herein-before appointed to be held, which shall first happen after the election of such committee as afore-^{Chairman to be}said, and at such place as shall be chosen, fixed and agreed upon by such committee after their election; and at such first quarterly meeting, and every subsequent quarterly meeting of such committee for the time being, a chairman for each of such said quarterly meetings being chosen, the place at which the then next following quarterly meeting shall be held, shall be fixed upon and appointed by the majority of such committee then assembled; and the chairman of such committee is hereby required to cause fourteen days notice to be given, of the time and place where the next following quarterly meeting of such committee is appointed

to be held, in the *Leeds* and *Manchester* weekly newspapers : And all matters or things which shall come before such committee for their determination, shall be determined by a majority of votes of the members of such committee then present : and if there shall be an equality of votes upon any question which shall come before the said committee, then the chairman shall have a casting vote, by which vote such question in dispute shall be determined.

Questions to be determined by Majority.

No Business to be done at Quarterly Meetings, unless Seven Members are present.

Provided nevertheless, That in case there shall not at any of such quarterly meetings be there present and assembled seven of the persons constituting such committee, then and in such case it is hereby declared, that no business whatsoever shall be done at such meeting ; and the majority of the persons then present shall appoint at what place the next quarterly meeting shall be held, and give fourteen days notice thereof in the *Leeds* and *Manchester* weekly newspapers, in manner above-mentioned.

Three Committee-men may call a Special Meeting.

And be it further enacted, That if at any time it shall appear to any three or more of such committee for the time being, that for the more effectual putting any of the powers granted by this act into execution, or for settling or discussing any matters or things whatsoever, relative to the same, a special meeting of such committee is necessary or expedient to be held, it shall and may be lawful for the said three or more of the said committee for the time being, to direct the clerk to give notice of such special meeting of the committee, to every member thereof, setting forth the place where, and the time when, such special meeting shall be appointed to be held ; and in case there shall be then present at such special meeting seven of the said committee, it shall and may be lawful

to

to and for the said committee so present, to proceed in the execution of the powers given by this act to such committee.

And be it further enacted, That in case any one or more of the said committee for the time being shall die, or shall decline business as a manufacturer, or shall go to reside in any distant part of the kingdom, or shall wilfully absent himself or themselves from the said quarterly meetings for the space of one year, or refuse to act, then and in such case it shall and may be lawful to and for the said committee for the time being, at any of their said quarterly meetings, there being seven of such committee then present, to choose another or other proper person or persons, being manufacturers of combing wool, worsted yarn, or goods made from worsted, in his or their place or places, who shall have the same power and authority as if appointed at a general meeting.

And be it enacted by the authority aforesaid, That if at any time hereafter it shall appear to any fifty or more of the said manufacturers of combing wool, worsted yarn, or goods made from worsted, within the said counties of *York, Lancaster,* and *Chester*, that the said committee for the time being neglect to discharge their duty, to the ends, intents, and purposes for which such committee was appointed; and in case such fifty or more of such manufacturers so dissatisfied shall, in writing under their hands, make complaint thereof to the justices of the peace for the said west-riding to be held and *York*, in any of the general or quarterly sessions of the peace of the west-riding of the county of assembled, then and in such case it shall and may be lawful to and for such justices in such sessions assembled, and they are hereby required

New Committee-men to be chosen in case of Death, etc.

If Committee neglect their Duty,

Justices may on Complaint thereof, call a General Meeting, etc.

(if they shall think proper, after hearing the nature of such complaint) to call and appoint a general meeting of the manufacturers of combing wool, worsted yarn, and goods made from worsted, within the said counties of *York*, *Lancaster*, and *Chester*, at such time and place as such justices shall think proper, and shall also cause notice to be given of such general meeting of such manufacturers as aforesaid, in the *Leeds* and *Manchester* weekly newspapers, setting forth the place where, and time when such general meeting shall be held, the same not being less than twenty-one days after such notice given in the said papers, and which notice shall be continued in the said papers until such meeting shall be held; and it shall and may be lawful to and for such manufacturers then present at such general meeting called and held in manner as aforesaid, to elect, nominate and appoint a committee, consisting of the same number of persons, and in the like manner, and under and subject to the like orders, regulations, and directions, herein before laid down and ordered for the election of the first committee; and the persons so elected, nominated and appointed to be a committee, in manner aforesaid, shall thereupon be invested with the same powers and authorities as the former committees were invested with.

Justices to appoint Inspectors of worsted yarn.

And, for preventing frauds and abuses for the future by persons employed in the said manufactures of combing-wool, worsted yarn, and goods made from worsted, and for the more effectual carrying this act into execution; be it further enacted, That the justices of the peace for the said west-riding of the county of *York*, at their next quarter sessions of the peace to be holden for the said riding, or any adjournment thereof, after *Midsummer* next after the

passing of this act, shall and may, and they are hereby authorised and required to appoint such persons, of good character and repute, within the said counties of *York, Lancaster, and Chester*, as shall be recommended to the said justices by the said committee of manufacturers, or any seven of such committee, in writing under their hands, to be inspectors of worsted yarn, within the said counties of *York, Lancaster, and Chester*.

And be it further enacted, That the said committee of manufacturers for the time being, or any seven of them, shall and may, and they are hereby authorised to station such inspectors for such districts in the said counties of *York, Lancaster, and Chester*, as the said committee, or any seven of them, shall think proper; and shall and may assign, allow, and pay to the said inspectors so appointed, such yearly salaries as the said committee, or any seven of them, shall think proper, to be paid out of the fund herein-after mentioned to be raised for that and the other purposes of this act; and also shall and may remove, dismiss, and displace any of such inspectors, who, by sickness, or any other accident, shall be rendered incapable of serving the said office, or shall misbehave, or not conduct himself or themselves to the satisfaction of such committee.

And be it further enacted, That the said inspectors for the time being, so appointed, shall severally and respectively, in the several districts allotted to them by the said committee, use all due diligence and industry for the convicting and bringing to justice all offenders against this and the said former acts; and also shall and do from time to time, and as often as they shall be thereto required by the said committee, inspect the several reels of all and

Committee to station Inspectors, and allow them Salaries, &c.

Inspectors to use Diligence in convicting and bringing Offenders to Justice.

every the spinners of worsted yarn, in their several and respective districts within the said counties of *York*, *Lancaster*, and *Chester*, and also the hanks of worsted yarn, in order to see that the directions herein-after laid down for reeling such yarn be complied with; and also shall and do from time to time, when and as they or any of them shall detect any person or persons offending against this or the said former acts, lodge informations against such offender or offenders before the proper justice or justices of the peace, and prosecute such offender or offenders to conviction: And, for the easier detection of all offenders against this and the said former acts, it shall and may be lawful to and for every such inspector or inspectors, from time to time, as occasion shall require, to demand entrance, at all seasonable hours, into the dwelling-house or dwelling-houses, shop or shops, outhouse or outhouses, of any agents, or persons hired or employed to put out wool to be spun, within the said counties of *York*, *Lancaster*, and *Chester*, to inspect the yarn in the custody of any such agent, or person hired or employed as aforesaid, within the said counties of *York*, *Lancaster*, and *Chester*, where he has any information of, or suspects any false or shortreeled yarn; and in case of refusal by any such agent, or person hired or employed to put out wool to be spun into worsted yarn, to permit and suffer such inspection, he, she, or they so refusing shall forfeit and pay such sum of money, not exceeding ten pounds, nor less than five pounds, as such justice or justices before whom he, she, or they shall be convicted, shall think proper, to be recovered and applied as hereafter mentioned.

Their Powers.

And be it further enacted, That every person
or

or persons employed, or undertaking to spin or reel worsted yarn for hire, in the counties of *York, Lancaster, and Chester*, or any of them, shall reel, or cause or procure the same to be reeled, either upon a *yard reel of thirty six inches*, or a *two yard reel of seventy-two inches round*; and when such worsted yarn shall be so reeled, *that each and every several bank of such worsted yarn shall consist of, or contain, seven raps or leas*, and that each and every such rap or lea shall consist of, or contain, *eighty threads of such worsted yarn*.

*Directions how
Worsted Yarn
shall be reeled.*

And be it further enacted by the authority aforesaid, That if any person or persons, hired or employed in the combing of wool, or in the spinning, reeling, winding, or weaving of worsted yarn, or in the preparing or working up any of the materials used in the said manufactures, in the said counties of *York, Lancaster, and Chester*, or any of them, shall reel or cause to be reeled any worsted yarn contrary to the directions herein before specified and laid down for the reeling such yarn, or shall conceal, keep back, embezzle, sell, or otherwise dispose of, any wool, or other materials, entrusted with him, her, or them, to spin, or other purposes, and shall of all or any of such several offences be lawfully convicted, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town or place, where such offence or offences shall be committed, or where such offender so charged shall reside or inhabit, upon the oath of the owner of such yarn or wool, or upon the oath of the inspector or inspectors appointed as aforesaid, or of any one or more credible witness or witnesses, (which oath such justice or justices is and are hereby impowered and required to administer)

*Penalties on
false reeling of
Worsted Yarn,
&c.*

minister) or by the confession of the person or persons charged with all or any of such offences shall, for each and every such offence, be subject and liable to the same penalties and punishments as are severally inflicted by the said former acts, so far as the said former acts, or any of them, are unrepealed; *all which penalties*

On Complaint
the Justice shall
issue his War-
rant. 22 Geo.
II. Ch. 27. Sec.
8. Pa. 583.

shall be recovered, and punishments inflicted, in the manner directed by the said acts, or any of them; and which said penalties shall be publicly distributed by the constable of such township, parish, or place, where such offence or offences shall be committed, in the presence and under the direction of the said inspector or inspectors, amongst the poor of such township, parish, or place, last above-mentioned.

Proviso.

Provided nevertheless, That no part or share of such penalties or forfeitures be given to such offender or offenders, his, her, or their family or families.

Penalty on
Agents refusing
to discover Per-
sons guilty of
false reeling
Yarn.

*And be it further enacted by the authority afore-
said*, That if any agents, or persons hired or employed to put out wool to be spun into worsted yarn, shall have in his, her, or their custody or possession, any worsted yarn not reeled according to the directions herein-before specified and laid down for the reeling thereof, and shall refuse, or not set forth and give in evidence, before any of his Majesty's justices of the peace for the said counties of *York, Lancaster, and Chester*, or any riding, division, city, liberty, town, or place, within the same respectively, being thereto required, what person or persons was or were the reeler or reelers of such false or short reeled yarn, or who was or were hired or employed to reel the same, so that the person or persons who reeled, or caused to

to

to be reeled, such false or short yarn, may be lawfully convicted thereof in manner aforesaid, he, she, or they so refusing, and being thereof lawfully convicted, upon the oath of any person or persons, before such justice or justices of the peace as are herein-before mentioned, shall forfeit and pay the sum of five shillings for every parcel of yarn made up as and for a pound, so false or short reeled, which shall be found in his, her, or their custody; all which penalties inflicted by this act shall be recovered in the same manner as the penalties inflicted by the said former acts are directed to be recovered, and shall go, be paid, and applied, by such person or persons, and in such manner and form, to the poor of the township, as the penalties herein-before mentioned are directed to be paid and applied.

Provided always, and be it further enacted,
That if any person who shall be so appointed Upon the Death
&c. of Inspectors, others to
be appointed. an inspector of worsted yarn, shall happen to die, or shall be removed or displaced from his said office, it shall and may be lawful for the said justices of the peace of the said west-riding of the county of *York*, in quarter sessions assembled as aforesaid, to licence some other proper person or persons to be an inspector or inspectors of worsted yarn, within the said counties of *York*, *Lancaster*, and *Chester*, upon the like recommendation, and in such manner, as is herein-before mentioned; which said person or persons shall be invested with all the powers, and subject to the like removal, and liable to the like penalties, for any breach or neglect of duty, as the inspector or inspectors, in whose place or places he or they shall be appointed to succeed, was invested with or subject and liable to.

Punishment of
Inspectors
screening Of-
fenders from
Justice.

And be it further enacted. That in case any inspector or inspectors, so appointed as aforesaid, shall at any time or times hereafter take or receive from any person or persons offending against this or the said former acts, any sum or sums of money, or any other thing whatsoever, to screen from justice, or otherwise to hinder or prevent such person or persons so offending as aforesaid from being convicted for such offence or offences, and being thereof convicted upon the oath of two or more credible witnesses, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where such offence or offences shall be committed, or where the person or persons so charged shall reside or inhabit (which oath such justice or justices is and are hereby impowered to administer) then and in such case it shall and may be lawful to and for such justice or justices of the peace to commit such inspector or inspectors so offending to the house of correction, or other publick prison, in the county, riding, division, city, liberty, town, or place, where such offence shall be committed for the space of one month.

Fund to be
established for
defraying the
Expences of the
Execution of
this Act.

And whereas by several acts of parliament, made in the tenth and twelfth years of the reign of *Queen Anne*, and several subsequent acts, the collectors of the duty upon soap, by the said acts granted, are directed to pay out of the monies in their hands, by way of drawback, unto any person or persons who should employ any quantity of soap in the making of any manufactures whereof the greatest part of the value of the materials should be wool, or in preparing the wool for the same, the duties upon the soap so spent and consumed as aforesaid; and to the end that a sufficient fund may be

be raised for defraying the expences in and about the obtaining this act, and for paying the salaries of the inspectors and clerk to be appointed under, and by virtue, and for the purposes, of this act, and all other necessary expences attending the carrying this act into execution, under the direction of the said committee; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every the collector or collectors, supervisor or supervisors, or other person or persons employed in the collection of the duties on soap, within the said counties of *York*, *Lancaster*, and *Chester*, and who by the said acts are thereby directed to pay such drawback of the duties on soap to such manufacturers as aforesaid, and such collector or collectors, supervisor or supervisors, or other person or persons, are hereby required, from time to time, to deduct and detain the sum of two-pence out of every shilling, to which any person, being a master manufacturer of combing wool, worsted yarn, or goods made from worsted, residing within the counties of *York*, *Lancaster*, and *Chester*, shall from time to time hereafter be entitled, and of which he, she, or they shall demand payment of, under and by virtue of the said acts, or any other act or acts of parliament whatsoever, as and for the duties of and for all soap spent, employed, and consumed in the combing of wool, making of worsted yarn, or any kind of goods made from worsted, or preparing the wool for the same, in the said counties of *York*, *Lancaster*, and *Chester*; and such collector or collectors, supervisor or supervisors, or other person or persons, and each and every of them, shall severally and respectively pay, or cause to be paid, unto the trea-

surer of the west-riding of the county of *York* for the time being, (demand being made thereof) all and every the sum or sums of money by him, them, or any of them, so deducted, retained, had, or received, under and by virtue, and for the purposes of this act.

Treasurer for
the West Rid-
ing of York-
shire, to pay
the Charges of
this Act out of
the Monies to
be received by
him.

And be it further enacted, That the said treasurer for the said west riding of the county of *York*, for the time being, shall, out of the money hereafter to be received by him in manner aforesaid, pay the charges and expences of obtaining and passing this act, and the expences relative thereto, together with interest for all or any part of such expences, the salaries of the inspectors and clerk herein before directed to be appointed, the expences of all prosecutions in support of this and the said former acts, and such other charges and expences as may be hereafter incurred or expended for the support and encouragement of the said manufactory, as the said committee, or any four of them, in committee assembled, shall, by writing under their hands, direct or appoint; and the said treasurer is also hereby required not to pay any sum or sums of money, so to be hereafter received by him for the purposes of this act in manner aforesaid, to any person or persons whomsoever, or for any purposes whatsoever, without such order, direction, or appointment, in writing, under the hands of such committee for the time being, or any four of them, in committee assembled; and such treasurer shall, and he is hereby required, yearly and every year, at the quarterly meeting of the said committee herein before appointed to be held on the *Monday* before *Michaelmas-Day*, in every year, for the future, to return and transmit to such committee, at such quarterly

quarterly meeting, a true and perfect account of all and every the sum or sums of money which shall have come to his hands, or been paid by him, since the then last yearly account; which said account shall be laid before the justices of the peace for the said west-riding of the county of *York*, at their general quarter sessions of the peace yearly to be held next after *Michaelmas*, by adjournment, at *Leeds*, in the said west-riding, for their inspection and allowance.

And it is hereby further enacted, That in case at any time hereafter the monies herein before directed and ordered to be paid into the hands of the treasurer for the said west-riding of the county of *York*, for the purposes aforesaid, shall, after payment of all and every the charges and expences herein before ordered and directed to be paid thereout, amount to the sum of six hundred pounds; then, and in such case, it shall and may be lawful to and for the said justices of the peace for the said west riding of the county of *York*, at their general quarter sessions to be holden at *Leeds*, as aforesaid, upon application made to them by the said committee or any seven of them, by writing under their hands, or upon application made to them the said justices by fifty or more master manufacturers of combing wool, worsted yarn, or goods made from worsted, within the said counties of *York*, *Lancaster*, and *Chester*, by writing also under their hands, to make orders for reducing the aforesaid two pence per shilling, which the collectors and supervisors of excise are hereinbefore directed to retain in their hands, to three halfpence, one penny, or a half-penny per shilling, as they may think necessary, until such fund shall be reduced to three hundred pounds; and

The Rate of ad
in the Shilling
may be reduced
&c.

and from time to time, upon like application, to advance or reduce the same, so as the fund in the treasurer's hands shall not exceed six hundred pounds, nor be reduced to less than three hundred pounds, and so as the same shall never exceed the rate, proportion, or sum of two-pence per shilling, herein-before directed to be deducted and retained as aforesaid.

How Justices
are to proceed
on Conviction
of Offenders.

And be it further enacted, That the justice or justices before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following; (that is to say)

Form of Con-
viction.

BE it remembered, That on the
day of _____ in the year of our
Lord _____ *A. B.* is convicted before
me, or us, _____ of his Majesty's justices of
the peace, for

*[specifying the offence and the place
where the same was committed, and also specifying
that it was the first, second, or third offence
against this act, as the case shall be.]*

*Given under my hand and seal, or our hands and
seals, the day and year aforesaid.*

Which conviction the said justice or justices shall cause to be fairly wrote on parchment, and returned to the next general quarter session of the peace for the county, riding, division, city, liberty, town or place, where such conviction was made, to be filed by the clerk of the peace, and remain and be kept among the records of such county, riding, division, city, liberty, town, or place.

Persons ag-
grieved may
appeal to the
QuarterSessions

*And it is hereby further enacted by the authority
aforesaid,* That if any person or persons shall
find him, her, or themselves aggrieved by any
order

order or warrant made by any justice or justices, or upon any conviction before him or them in pursuance of this act, such person or persons may appeal to the next general quarter sessions to be held for the county, riding, division, city, liberty, town, or place, where the offence shall be committed, which shall not be held within fourteen days next after the cause or appeal shall arise, giving ten days notice of such appeal to the person or persons discovering the offence on which the conviction was made; and if the justices at the said quarter sessions either confirm or disannul the orders or proceedings of the said justice or justices, they shall allow such costs and charges to the party aggrieved thereby, as they shall think reasonable, to be levied and paid in such manner as is usual in cases of appeal from any order of the justices of the peace to the sessions, whose order therein shall be final.

Provided nevertheless, That the person or persons appealing to the next general quarter sessions of the peace as aforesaid, shall give security, to the satisfaction of the said justice or justices, to prosecute such appeal with effect, and to pay the costs which shall be ascertained by the said general or quarter sessions, in case such order or judgment be affirmed; and the justices in the said general or quarter sessions are hereby authorised to hear and determine such appeal, and to make order therein, and to award such costs, as to them shall appear just; which order shall be final and conclusive to all parties, and shall not be moved or removeable, by any writ of *certiorari*, or otherwise, into any of his Majesty's courts of record at *Westminster* or elsewhere.

Provided nevertheless, and be it further enacted, That no order, or other proceedings, so

Persons appealing to give Security to Prosecute, &c.

Order of Justices to be final.

Proceedings not made or had, by or before any justice of the
to be quashed peace, in relation to the premises, shall be
for want of quashed or vacated for want of form only.

And be it further enacted, by the authority
Limitation of *aforesaid,* That if any suit or action shall be
Actions.

General issue.

Treble Costs.

Publick Act.

commenced or prosecuted against any person or persons, for any thing done or to be done in pursuance of this act, every such suit or action shall be commenced within six calendar months next after the fact committed, and not afterwards; and shall be severally laid, brought, and tried in the counties of *York, Lancaster, and Chester*, as the case shall happen, and not elsewhere; and the defendant or defendants in such actions or suits shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance of, and by the authority of this act: And if it shall appear to be so done, or if any such suit or action shall be brought after the time before limited for bringing the same, or shall be brought in any other county or place, that then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action after the defendant or defendants shall have appeared, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have for costs in other cases at law.

And be it further enacted, That this act shall be deemed, adjudged, and taken to be a public act; and shall be judicially taken notice of as such by all judges, justices, and other persons whomsoever, without special pleading the same.

Anno Decimo Septimo

Georgii III. Regis.

CAP. XVI.

An act for amending and rendering more effectual the several laws now in being, for the more effectual preventing of frauds and abuses by persons employed in the manufactures of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, bemp, flax, mohair, and silk manufactures; and also for making provisions to prevent frauds by journeymen dyers.

WHEREAS by an act, made in the Preamble.
 twenty second year of the reign of
 his late Majesty King George the se-Recital of an
 cond, intituled, *An act for the more effectual* Act 22 Geo. II.
preventing of frauds and abuses committed by per-
sons employed in the manufacture of hats, and in
the woollen, linen, fustian, cotton, iron, leather,
fur, bemp, flax, mohair. and silk manufactures;
and for preventing unlawful combinations of jour-
neymen dyers and journeymen hot-pressers, and of
all persons employed in the said several manufac-
tures, and for the better payment of their wages;
 it was enacted, That if any person or persons
 whatsoever, who should be hired or employed
 to make any felt or hat, or to prepare or work
 up any woollen, linen, fustian, cotton, iron,
 leather, fur, bemp, flax, mohair, or silk ma-
 H nufactures,

manufactures, or any manufactures made up of wool, fur, hemp, flax, cotton, mohair or silk, or of any of the said materials mixed one with another, should, from and after the twenty-fourth day of June, 1749, purloin, embezzle, secrete, sell, pawn, exchange, or otherwise unlawfully dispose of, any of the materials with which he, she, or they should be respectively intrusted, whether the same, or any part thereof, be or be not first wrought, made up, manufactured, or converted into merchantable wares, and should be thereof lawfully convicted, in manner therein mentioned, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town or place, where such offence should be committed, or where the person or persons so charged should reside or inhabit, it should and might be lawful to and for the said justice or justices, by warrant under his or their hand and seal, or hands and seals, to commit the person or persons so convicted to the house of correction, or other public prison, of such county, riding, division, city, liberty, town, or place, there to be kept to hard labour for the space of fourteen days, and also to order the person or persons so convicted to be once publicly whipped at the market place, or some other public place, of the city, town, or place, where such offender or offenders should be respectively committed; and in case of a further conviction, in manner before prescribed by the said act, for or upon a second or other subsequent offence of the same kind, it should and might be lawful to and for the justice or justices before whom such conviction should be had, to commit the person or persons so again offending to the house of correction, or other public prison

prison as aforesaid, there to be kept to hard labor for any time not exceeding three months, nor less than one month, and also to order the person or persons so again offending, to be publickly whipped at the market place, or some other publick place of the city, town, or place, where such offender or offenders should be respectively committed, twice, or oftener, as to such justice or justices shall appear reasonable: And whereas it is thought necessary to vary the punishment for the offences herein-after recited; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of July, 1777, so much of the said recited act as prescribes what the punishment shall be in any of the cases before-mentioned, or before whom such conviction shall be had, whether for a first offence, or a second or any subsequent offence, shall be repealed; and instead of inflicting the punishment so directed, the justices of the peace before whom the conviction shall be, shall commit the person convicted to the house of correction, or other publick prison, there to be kept to hard labor, in the case of a first offence, for any time not less than fourteen days, nor more than three months; and in the case of a second or any subsequent offence, for any time not less than three months, nor more than six months; and may likewise for the first, or for any subsequent offence, order the person convicted to be once publickly whipped, if such additional punishment shall by the said justice or justices be deemed proper.

So much of the said Act, as prescribes the Punishment to be inflicted for embezzling pawning, &c. of materials, is hereby repealed;

and other punishments substituted instead thereof.

Provided always, and be it further enacted by

No Person to *the authority aforesaid*, That no person or per-
 be convicted sons, who shall be charged with any offence or
 unless before Justices, offences against the said recited act of the
 two Justices, twenty second year of the reign of his late Ma-
 &c, jesty King *George* the Second, shall be liable
 to be convicted, unless before two or more
 justices of the peace for the county, riding, di-
 vision, city, liberty, town, or place, where the
 offence shall be committed; any thing con-
 tained in the said recited act to the contrary
 hereof notwithstanding.

Recital of a And whereas, by the said act of the twenty-
 Clause in the second year of the reign of his late Majesty
 aforesaid Act. King *George* the Second, it was also enacted,
 That if any person or persons should buy, re-
 ceive, accept, or take, by way of gift, pawn,
 pledge, sale, or exchange, or in any other
 manner whatsoever, of or from any person or
 persons hired or employed to make any felt or
 hat, or to prepare or work up the woollen,
 linen, fustian, cotton, iron, leather, fur, hemp,
 flax, mohair, or silk manufactures, or any ma-
 nufactures made up of wool, fur, hemp, flax,
 cotton, mohair, or silk, or of any of the said
 materials mixed one with another, any thrumbs
 or ends of yarn, or any other materials, of wool,
 fur, hemp, flax, cotton, or iron, or any lea-
 ther, mohair, or silk, whether the same, or
 any part thereof, be or be not first wrought,
 made up, or manufactured, knowing the per-
 son or persons of whom he, she, or they, so
 buy, receive, accept, or take, the said mate-
 rials, to be so hired or employed as aforesaid,
 and not having first obtained the consent of the
 person or persons so hiring or employing him,
 her, or them, who should offer to sell, pawn,
 pledge, exchange, or otherwise dispose of, the
 said materials; or should buy, receive, accept,

or take, in any manner whatsoever, of or from any other person or persons whomsoever, any of the said materials, whether the same be or be not first wrought, made up, or manufactured, knowing the same to be so purloined or embezzled; then, and in every such case, the person or persons so buying, receiving, accepting, or taking, any such materials, being thereof lawfully convicted, in manner before prescribed by the said act, for the conviction of persons purloining or embezzling the said materials, should for the first offence, forfeit the sum of twenty pounds; and in case the said forfeiture should not be immediately paid, the justice or justices before whom such conviction should be had, should commit the party or parties so convicted to the house of correction, or other publick prison as aforesaid, there to be kept to hard labour for the space of fourteen days, unless the said forfeiture should be sooner paid; and if within two days before the expiration of the said fourteen days the said forfeiture should not be paid, the said justice or justices is and are thereby impowered and required to order the person or persons so convicted to be publickly whipped at the market-place, or some other publick place of the city, town, or place, where such offender or offenders should be respectively committed, once, or oftner, as to such justice or justices should appear reasonable; and in case of a further conviction for or upon a second or any other subsequent offence of the same kind, the person or persons so again offending, being thereof convicted in manner before prescribed by the said act, should, for every second or other subsequent offence, forfeit the sum of forty pounds; and in case the said forfeiture should

should not be immediately paid, the justice or justices before whom such conviction should be had, should commit the party or parties so convicted to the house of correction, or other publick prison as aforesaid there to be kept to hard labour for any time not exceeding three months, nor less than one month, unless the said forfeiture should be sooner paid; and if within seven days before the expiration of the time for which such offender or offenders should be so committed, the said forfeiture should not be paid, the said justice or justices is and are thereby impowered and required to order such offender or offenders to be publickly whipped at the market-place, or some other publick place, of the city, town, or place, where he, she, or they should be respectively committed, twice, or oftner, as to such justice or justices shall appear reasonable: And the said respective forfeiture of twenty pounds and forty pounds, when recovered, after satisfaction should have been made thereout to the party or parties injured, together with such costs of prosecution as should be judged reasonable by the justice or justices before whom such conviction should have been had, should be equally distributed amongst the poor of the parish or place where the person or persons so convicted should reside or inhabit: And whereas it is thought necessary to increase the pecuniary penalties directed by the said recited act for the said offences last mentioned, and to vary the application of the said penalties for the same, and further to change the consequence of non-payment; be it therefore further enacted, That, from and after the said first day of July, 1777, so much of the said recited act of the twenty-second of his late Majesty King George the

Somuch of the said Act as orders the Punishment for buying, receiving, &c. of any Goods in the last recited Clause mentioned, repealed;

the

the Second, as enacts what the penalty or punishment shall be for such buying, receiving, accepting, or taking, by way of gift, pawn, pledge, sale, or exchange, or in any other manner, as is described by the said act, in the terms aforesaid, and how such penalty shall be applied, and what punishment shall be inflicted in case of nonpayment, shall be repealed; and instead thereof, the penalty for the first offence shall be any sum not more than forty pounds, nor less than twenty pounds, as the justices before whom the conviction shall be shall judge to be most proper; and every such pecuniary penalty shall be applied, under the direction of the justices before whom the conviction shall be, in manner following; (that is to say) *In the first place, the expences of the prosecution shall be thereout defrayed; and then such satisfaction shall be made thereout to the party or parties injured, as the said justices shall think proper; and afterwards so much of the said penalty shall be paid to the informer or informers, as such justices shall think fit, not exceeding, in any case, ten pounds; and the remainder, if any, shall be paid and distributed to and amongst the poor of the parish, town, or place, where the conviction shall be, or for the use of such publick charity or charities as such justices shall appoint: And if such pecuniary penalty as aforesaid shall not be paid on conviction, the said justices shall commit the person convicted to the house of correction or other publick prison, there to be kept to hard labour for any time not more than six months, nor less than 3 months, as the said justices shall think fit to direct, unless such pecuniary penalty shall be sooner paid; or the said justices may send the person convicted to the house of correction, or other publick prison, there to remain*

and other punishments substituted instead thereof.

How Fines to be disposed of.

remain for three days, exclusive of the day of commitment, with an order that within the said time the person so convicted shall be once publickly whipped at such market place, or other publick place as aforesaid.

How Justices
are to proceed
when Offenders
are brought be-
fore them for a
Second Offence.

And be it further enacted, by the authority aforesaid, That, from and after the said first day of July, 1777, if any person or persons shall be brought before any justices of the peace, and shall be charged upon oath, or (being of the people called *Quakers*) upon solemn affirmation, of having been guilty of buying, receiving, accepting, or taking, by way of gift, pawn, pledge, sale, or exchange, or in any other manner, as is described by the said recited act, in the terms aforesaid, and it shall appear to such justices that the person or persons so charged hath or have been already convicted of the like offence for which he, she, or they is or are then charged, that then such justices shall not proceed to convict such person or persons, but shall commit him, her, or them to the house of correction, or some other publick prison, there to remain until the next general or general quarter sessions of the peace to be held in and for the county, riding, division, city, liberty, town, or place where the offence shall have been committed, or until such offender or offenders shall have entered into a recognizance to answer for such offences at the said next general or general quarter sessions; and the justices in such general or general quarter sessions are hereby authorised and required to take cognizance thereof, and to hear and determine the same; and if such person shall be convicted upon the oath, or (being of the people called *Quakers*) upon the affirmation of one or more credible witness or witnesses, the person

Any such Of-
fender convict-
ed before the
Quarter Sessi-
ons, shall for-
feit from 5s. to
10s.

so convicted shall forfeit and pay for such offence, any sum not more than one hundred pounds, nor less than fifty pounds, as the said justices shall judge to be most proper; and every such penalty shall be applied and disposed of under the direction of the said justices in their general or general quarter sessions, in such manner and proportions as the penalty hereinbefore imposed for the first offence of the like nature is by this act directed to be applied and disposed of; and if such penalty shall not be paid on conviction, the said justices shall com-^{or be commit-}mit the person so convicted to the house of cor-^{ted, &c.}rection, or other publick prison, there to be kept to hard labour for any time not more than six months, nor less than three months, as the said justices shall in their discretion think fit, unless such penalty shall be sooner paid; or the said justices may send the person convicted to the house of correction, or other publick prison, there to remain for three days, exclusive of the day of commitment, with an order that within the said time such person shall be once publicly whipped at such market place, or other publick place as aforesaid.

And whereas many frauds are practised, in ^{Persons selling, pawning, &c.} respect to such materials as aforesaid, by per-^{any such Ma-}sons who sell them knowing them to have been ^{terials as afore-}purloined or embezzled; be it therefore further ^{said, knowing}enacted, That, after the said first day of *July*, ^{them to have}1777, if any person shall sell, pawn, pledge, ex-^{been embezzl-}change, or otherwise unlawfully dispose of, or of ^{ed, shall be}fer to sell, pawn, pledge, exchange, or otherwise ^{liable to the}unlawfully dispose of, any such materials as afore ^{same Punish-}said, whether wrought or unwrought, mixed ^{ment as for re-}or unmixed, knowing them to have been pur-^{ceiving embez-}loined or embezzled, every such person, law-^{zled Materials.}fully convicted, shall be liable to the same pu-
I nishment

nishment as he or she would be liable to by virtue of this act, on being convicted of receiving purloined or embezzled materials, knowing them to have been purloined or embezzled.

How Justices
to proceed in
relation to
Persons charg-
ed on oath
with being
suspected of
having em-
bezzled such
materials, or
of having re-
ceived the
same knowing
them to have
been embez-
zled, &c.

And whereas such materials as aforesaid, which have been purloined or embezzled, are frequently received by persons knowing the same to have been so purloined or embezzled; and such materials being afterwards worked up, or otherwise disposed of, renders it difficult to convict such offenders; be it therefore enacted by the authority aforesaid, That, from and after the said first day of *July*, 1777, when any person or persons shall be brought or charged upon oath, before any two or more justices of the peace, by virtue of this act, with being suspected of, or with having purloined or embezzled, or with having received any such materials as aforesaid, whether the same be wrought or unwrought, mixed or unmixed, knowing the same to have been either purloined or embezzled, or received from some person or persons not intitled to dispose thereof, and it shall be made appear upon the oath, or (being of the people called *Quakers*) upon the affirmation of one or more credible witness or witnesses, to the satisfaction of such justices, that such person or persons hath or have purloined or embezzled, or hath or have received any such materials as aforesaid, knowing the same to have been purloined or embezzled, or received from some person or persons not intitled to dispose thereof, it shall and may be lawful for such justices, or for the justices at their general or general quarter sessions of the peace, and they are hereby respectively authorised and empowered (if they shall think fit) to convict such person or persons of having purloined or embezzled,

bezzled, or of having received such materials as aforesaid, knowing the same to have been purloined or embezzled, or received from some person or persons not intitled to dispose thereof, although no proof shall be given to whom such materials belong; and the person or persons so convicted shall, for every such offence, be subject to such and the like penalties and punishments, at the discretion of such justices respectively, as persons convicted of buying or receiving any such materials as aforesaid, knowing the same to have been purloined or embezzled, are by this act subject and liable to.

And whereas, by the said recited act of the twenty-second of King *George* the Second, it was also enacted, That if any person or persons intrusted with any of the materials therein and herein-before mentioned, in order to prepare, work up, or manufacture the same, should not use all such materials in the preparing, working up, or manufacturing of the same, and should neglect or delay, for the space of twenty-one days after such materials should be prepared, worked up, or manufactured, to return, (if required by the owner or owners of such materials so to do) so much of the said materials as should not be used as aforesaid, to the person or persons intrusting him, her, or them therewith, such neglect or delay should be deemed a purloining or embezzling of such materials; and the person or persons so neglecting or delaying, being thereof convicted in manner therein-before prescribed for the conviction of offenders against the said act, should suffer the like punishment as persons convicted of purloining or embezzling any of the materials therein-before mentioned, are by the said act rendered subject and liable to: And whereas

Another Clause
of the Act 22.
Geo. II. re-
cited,

and altered.

the space of twenty-one days, allowed by the said recited act, is thought too long a time to be allowed for returning the said materials, under the circumstances, and in manner aforesaid; and it may be proper to make the punishment for not returning such materials the same as for purloining or embezzling under this act; be it therefore further enacted, That from and after the said first day of *July*, 1777, so much of the said recited act as allows twenty-one days after the preparing, working up, or manufacturing the said materials, for returning so much of the said materials as shall not be used in such preparing, working up, or manufacturing, and declares that the punishment for not so returning the said materials within the said time, shall be the same as under the said act is directed for purloining or embezzling, shall be repealed; and only eight days shall be allowed for returning the said materials in manner aforesaid; and the punishment for not returning them within the said eight days shall be the same as is by this act directed to be inflicted for purloining or embezzling.

Another clause
of the said act
recited,

And whereas; by the said act of the twenty-second year of the reign of his late Majesty King *George* the Second, it is enacted, That from and after the said twenty fourth day of *June*, 1749, if any person who should be hired, retained, or employed, to prepare or work up any of the manufactures therein-before mentioned, for any one master, should neglect or refuse the performance thereof, by procuring or permitting himself or herself to be subsequently retained or employed by any other master or person whatsoever, before he or she should have completed the work which he or she was first and originally so hired, retained,

or

or employed to perform, and which was first delivered to him or her ; then, and in every such case, the person so offending, being thereof lawfully convicted by the oath, or (being of the people called *Quakers*) affirmation, of one or more credible witness or witnesses, before one or more justice or justices of the peace, of the county, riding, division, city, liberty, town or place, where the offence or offences should be committed, should be sent to the house of correction, there to be kept to hard labour for any time not exceeding one month : And whereas the said provision contained in the said recited clause is not found sufficient for the purpose intended, and it is apprehended that some other provision, more proper, may be made ; be it therefore further enacted, That from and after the said first day of *July*, 1777, the whole of the said last recited clause shall be repealed ; and that, from and after the said first day of *July*, 1777, if any person, being hired, retained, or employed to prepare or work up any materials, whether mixed or unmixed, for any master or masters, shall wilfully neglect or refuse the performance thereof for eight days successively, or having taken in any materials, whether mixed or unmixed, for manufacture, from one master, or two or more masters being co-partners, shall afterwards take in any materials, whether mixed or unmixed, for manufacture, from any other master or masters ; or shall procure, or permit himself or herself to be employed or retained in any other occupation or employment whatsoever, sooner than eight days before the completion of the work first taken ; then, in every such case, such person being thereof lawfully convicted by the oath, or (being of the people called *Quakers*) affirmation, of one

and repealed.

Any Person being employed to work up Materials, who shall neglect to perform the same for 8 days, &c. shall be sent to the House of Correction.

one or more credible witness or witnesses, before two or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where the offence or offences shall be committed, shall be sent to the house of correction, or other publick prison, there to be kept to hard labour for any time not exceeding three months, nor less than one month.

If any Person shall receive any Materials to be manufactured, in a fictitious name; or shall deliver the same to any other person, without the consent of the owner, &c. he shall be liable to the same punishment as persons neglecting to perform their work, &c.

And whereas it frequently happens that persons receive the said materials in fictitious names in order to be manufactured; and that persons receive such materials in their own names, in order to be manufactured by themselves, and afterwards deliver the same to others to be manufactured, without the knowledge or consent of the owners thereof; and that carriers, or other persons employed to deliver materials to workmen to be prepared or manufactured, do designedly deliver such materials to other persons than those intended by the owner of such materials; be it therefore further enacted by the authority aforesaid, That from and after the said first day of *July*, 1777, if any person shall receive any of the aforesaid materials in a fictitious name, in order to be manufactured; or if any person shall receive in his or her own name any of the said materials, in order to be manufactured by himself or herself, and afterwards deliver the same, or any part thereof, to any other person to be manufactured, (without the consent of the owner thereof;) or if any carrier, or other person employed to deliver any such materials to any workman, to be prepared or wrought up, shall designedly deliver the same to any other person than the person to whom such materials were ordered or intended to be delivered by the owner thereof; all and every person and persons offending in any of the cases aforesaid,

aforesaid, shall, for every such offence, be liable to prosecution, in the same manner, and to the same punishment, as is by this act directed in respect to persons taking in any of the said materials in order to work up, and afterwards wilfully neglecting or refusing the performance of their work for the space of time aforesaid.

And whereas it frequently happens that ma- ^{Preamble.}
 terials used in the manufactures before mentioned, are found, or known to be concealed in the possession of persons who have received the same, knowing them to be purloined or embezzled, or of persons known not to be entitled to dispose of the same; and whereas the discovery and conviction of the purloiners and embezzlers, buyers and receivers, of such materials, is full of difficulty, from the close and clandestine manner in which the offence is committed; and there is still greater difficulty in proving whose property such materials are; and it would tend to the discouragement and suppression of such offences, if the discovery and conviction of such offenders were rendered more easy: And whereas, by the said recited act of the twenty second year of his late Majesty King *George* the Second, justices of the peace, after conviction of any offender for purloining or embezzling the said materials, or for buying or receiving the same, are authorized to grant warrants for searching the houses and other places of the persons so convicted, but no such authority is given before conviction, nor in any other house or place, except such as belongs to a person convicted; be it therefore further enacted, That it shall and may be lawful for any two justices of the peace of any county, riding, division, city, liberty, town, or place, upon complaint made to them, upon ^{Justices, on receiving Complaint on Oath, that embezzled Materials are suspected to be}
 oath,

concealed in any House, &c. may grant a warrant for searching the same.

How persons shall be punished, in whose possession such materials shall be found.

Peace officers in towns corporate, &c. may apprehend all persons suspected of having or carrying after sun-set, any materials suspected to be purloined, &c.

oath, by any one credible person, or (being of the people called *Quakers*) upon solemn affirmation, that there is cause to suspect that any such purloined or embezzled materials, whether mixed or unmixed, wrought or unwrought, are concealed in any dwelling-house, out-house, yard, garden, or other place or places, by virtue of a warrant under their hands and seals, to cause every such dwelling-house out-house, yard, garden, or place, to be searched in the day-time: And if any such materials suspected to be purloined or embezzled, shall be found therein, to cause the same, and the person or persons in whose house, out house, yard, garden, or other place, the same shall be found, to be brought before any two justices, of the peace for the same county, riding, division, city, liberty, town, or place; and if the said person or persons shall not give an account, to the satisfaction of such justices, how he, she or they came by the same, then the said person or persons so offending, shall be deemed and adjudged guilty of a misdemeanor, and shall be punished in manner herein-after mentioned, although no proof shall be given to whom such materials belong.

And be it further enacted, That every peace-officer, constable, headborough, or tything-man, in every county, city, town corporate, or other place, where there shall be officers, and every beadle within his ward, parish, or district, and every watchman, during such time only as he is on his duty, shall and may apprehend, or cause to be apprehended, all and every person or persons who may reasonably be suspected of having or carrying, or any ways conveying, at any time after sun-setting and before sun-rising, any of such materials suspected

pected to be purloined or embezzled, and the same, together with such person or persons, as soon as conveniently may be, convey or carry before any two justices of the peace for the county, riding, division, city, liberty, town, or place, within which the suspected person or persons shall be apprehended; and if the person or persons so apprehended in conveying any such materials, shall not produce the party or parties duly intitled to dispose thereof, from whom he, she, or they bought or received the same, or some other credible witness, to testify upon oath, or (being of the people called *Quakers*) upon solemn affirmation, to the sale or delivery of the said materials, (which oath or affirmation respectively such justices are hereby impowered to administer) or shall not give an account, to the satisfaction of such justices, how he, she, or they came by the same; then the said person or persons so apprehended shall be deemed and adjudged guilty of a misdemeanor, and be punished in manner herein-after mentioned, although no proof shall be given to whom such materials belong.

Provided always, and be it further enacted, Justices may, at the request of persons brought before them, appoint a reasonable time to produce the person or persons intitled to dispose of the materials, &c.
That in either of the two cases last before mentioned, when any person or persons, who shall be brought before any two justices of the peace, shall request of such justices to appoint a reasonable time to produce the person or persons duly intitled to sell or dispose of the same, or from whom he, she, or they bought or received the same, or some one or more credible witness or witnesses to prove the sale or delivery thereof; then, and in such case, it shall and may be lawful for the said justices, and they are hereby authorized and required to appoint such reasonable time as aforesaid, and to issue

out a summons to the constable or other peace-officer of the parish or place where such person or persons, or such witness or witnesses, shall respectively reside, requiring him, her, or them to appear before two or more justices, at such time and place as shall be so appointed by such justices, in order to be examined and give evidence on oath, (or being of the people called

On the persons making such request, entering into a recognizance, &c.

Quakers) solemn affirmation of the several matters aforesaid; but such person or persons, at the time of making such request, shall enter into a recognizance, with or without surety or sureties, as such justices shall think proper for his, her, or their appearance before them, at the time so to be set, or, for want of such recognizance as aforesaid, shall be committed until the time that shall be set or appointed by the said justices for the appearance of such party or parties, witness or witnesses; and if at such appointed time such person or persons shall be convicted of any of the offences aforesaid, then, and in such case, he, she, or they, shall suffer such punishment as is herein-before directed to be inflicted on persons guilty of such offences.

On any person being convicted of a misdemeanor, as aforesaid, the materials so found shall be deposited in the hands of the churchwardens, &c.

And be it further enacted, That where any person or persons shall be convicted of a misdemeanor in either of the two cases last before mentioned, it shall and may be lawful for the justices before whom the conviction shall be, to cause the said materials so found or seized as aforesaid, to be deposited in the hands of the churchwardens or overseers of the poor of the place where such materials shall be found or seized, or in any other convenient place, for any time not exceeding thirty days; and in the mean time to order the said churchwardens and overseers of the poor, or one of them, to insert an advertisement in some one or more of the publick

publick newspapers usually published or circulated in or near such place, or otherwise to cause notice to be given by some publick crier, and by fixing on the church or chapel door notice describing such materials, and where the same are so deposited, to the end that persons having lost such materials, or any reputable person or persons in their behalf, may come and claim the same : And in case any person or persons can prove his, her, or their property in the said materials upon oath, or (being of the people called *Quakers*) upon his, her, or their solemn affirmation, to the satisfaction of any two justices of the peace for such county, riding, division, city, liberty, town, or place, then such justices shall order restitution of such materials to the owner or owners thereof, after paying the reasonable charges of removing, depositing, and giving publick notice of the same ; but if, before the end of the said three days, no person or persons shall come and prove his, her, or their property in such materials, nor any reputable person or persons on his, her, or their behalf, then the said justices shall order and direct the same to be sold for the best price that can reasonably be had, and after deducting such charges as aforesaid, together with the charges of sale, one moiety of the money arising from such sale shall be given to the person or persons, or either of them, who shall apprehend or prosecute the offender or offenders guilty of either of the misdemeanors aforesaid, as the said justices shall appoint ; and the other moiety thereof, either to and amongst the poor of the parish, town, or place, where the conviction shall be, or to such publick charity or charities as the justices convicting shall appoint.

If any person can prove his property in the said materials, they shall be delivered to him, on paying the charges of removing, &c.

But if no person can prove his property in them, they shall be sold, &c.

How penalties to be applied.

Penalty on
persons having
in their posses-
sion materials
suspected to be
purloined, &c.

Forfeitures
may be levied
by distress.

On failure of
distress, offen-
der to be com-
mitted.

And be it further enacted, That every person deemed and adjudged guilty of a misdemeanor, in having in his or her possession any materials suspected to be purloined or embezzled, and not producing the party or parties being duly intitled to dispose of the same, of whom he or she bought or received the same, nor giving a satisfactory account how he or she came by the same; or of a misdemeanor in having, carrying, or conveying of the said materials suspected to be purloined or embezzled, and not producing the party or parties being duly intitled to dispose of the same, of whom he or she bought or received the same, nor any credible witness to testify upon oath or (being of the people called *Quakers*) upon solemn affirmation the sale or delivery thereof, nor giving a satisfactory account how he or she came by the same, (as the case shall be) shall for every such misdemeanor, forfeit, for the first offence, the sum of twenty pounds; and for the second offence, the sum of thirty pounds; and for every subsequent offence, the sum of forty pounds: All which said respective forfeitures shall and may be levied by distress and sale of the goods and chattles of every such offender (rendering to him or her the overplus, after charges of the said distress and sale deducted) by warrant under the hands and seals of the justices before whom such offender shall be deemed and adjudged guilty; of which forfeiture, one moiety shall be paid to the informer, and the other moiety thereof to and amongst the poor of the parish, town, or place, where such conviction shall be, or to such publick charity or charities as the justices convicting shall appoint; and if no sufficient distress shall be found whereon to levy the said respective forfeitures, then the said justices

justices shall and may commit every such offender, so respectively deemed and adjudged guilty as aforesaid, to the common goal, or other prison, or house of correction, within his or their jurisdiction, without bail or mainprize, for the space of one month, for the first offence; and for the second offence, for the space of two months; and for every subsequent offence, for the space of six months.

And whereas it sometimes happens, by occasion of the very long detention of such materials as aforesaid, delivered out to journeymen or other persons employed to work up the same, it cannot be known to the master or owners of such materials, whether the same may have been purloined or embezzled, or whether the said materials are wholly or in part wrought or begun to be wrought, or in what state or condition such materials may be: For remedy whereof, be it further enacted, That, from and after the said first day of *July*, 1777, it shall be lawful for the owner or owners of any such materials, from time to time, as occasion shall require, to demand entrance, and enter, at all seasonable hours in the day-time, into the shops or outhouses of any person or persons employed by him or them to work up any of the said materials, or other place or places where the work shall be carried on, and there to inspect the state and condition of such materials; and in case of refusal by any such person or persons so employed, to permit such entrance or inspection, he, she, or they so refusing, shall forfeit and pay such sum of money, not exceeding forty shillings, nor less than ten shillings, as the justices, before whom he, she, or they shall be convicted, shall think proper, to be recovered and applied in the same manner

Owners of materials delivered to journeymen, &c. to be worked up, may, at all seasonable hours, enter their shops or outhouses, to inspect their materials.

Penalty on refusal of entrance, &c.

manner as is by this act directed for the misdemeanor of being in the possession of any such materials, without being able to account satisfactorily for such possession.

All penalties in the act 22 Geo. II. and in this act, relating to the said materials, shall be applicable to the tools, &c. with which any person is entrusted for manufacturing the same.

And whereas the said recited act of the 22d year of the reign of his late Majesty King George the Second contains no provision for the protection and recovery of the tools and implements with which any person or persons employed in preparing, working up, or manufacturing, such materials as aforesaid, shall be entrusted for that purpose; nor any provision in respect to the drugs and ingredients used in dying, preparing, or manufacturing, such of the said materials as are usually dyed, prepared, or manufactured; be it therefore enacted, That from and after the said first day of July, 1777, every penalty or punishment directed by, or other provision contained in, the said recited act, in respect to the said materials, so far as the said recited act is not varied by this act, and all the provisions in this act contained in respect to the said materials, shall extend and be applicable to any tool or tools, and implement or implements, with which any person or persons shall be entrusted for making, working up, or manufacturing the said materials, and also to any drug or drugs, ingredient or ingredients, with which any person or persons shall be entrusted, for the purpose of dying, preparing, or manufacturing, such of the aforesaid materials as are usually dyed, prepared, or manufactured, in the same manner as if the said tools and implements, drugs and ingredients, were particularly mentioned, both in the said recited act and in the preceding provisions of this act.

And whereas journeymen dyers, servants,
and

and apprentices, frequently abuse the trust re-
 posed in them, by dying goods for their own
 profit, without the consent of their masters; be-
 it therefore enacted, That from and after the
 said first day of July, 1777, if any person hired,
 retained, or employed as a journeyman dyer,
 or as a servant or apprentice, in the dying of
 any felt or hat, or any woollen, linen, fustian,
 cotton, leather, fur, flax, mohair, or silk ma-
 terials, whether the same shall be wrought or
 unwrought, or shall be mixed or unmixed with
 other of the said materials, shall, without the
 consent of the master, person or persons by
 whom such journeyman, servant, or appren-
 tice, shall be hired, retained, or employed,
 wilfully dye any of the said materials, whether
 wrought or unwrought, or mixed or unmixed
 with other of the said materials, or without such
 consent shall wilfully receive any such materi-
 als as aforesaid, for the purpose of dying the
 same, whether the same shall be dyed or pre-
 pared for dying, he or she so guilty of either of
 the said offences shall for the first offence, for-
 feit the sum of ten shillings; and for the second
 offence, the sum of twenty shillings; and for
 every subsequent offence, the sum of forty shil-
 lings; or if any person shall procure any such
 materials as aforesaid, to be dyed by any per-
 son so hired, retained, or employed as a jour-
 neyman, servant or apprentice, without the con-
 sent of his or her master or employer, or shall
 offer any such materials to any such journey-
 man, servant, or apprentice, for the purpose
 aforesaid, he or she so offending, being thereof
 lawfully convicted by the oath, or (being of
 the people called *Quakers*) affirmation of one
 or more credible witness or witnesses, before
 two or more justices of the peace for the
 county,

If any journey-
 man dyer, &c.
 shall, without
 the consent of
 his employer,
 dye any wool-
 len, linen, &c.

he shall forfeit
 for the first of-
 fence, 10s. &c.

or if any person
 shall procure
 any such mate-
 rials to be dyed,

he shall forfeit
for the first of-
fence 5s. &c.

county, riding, division, city, liberty, town, or place, where the offence shall be committed, shall, for the first offence, forfeit the sum of five shillings; and for the second offence, the sum of twenty shillings; and for every subsequent offence, the sum of four pounds; and each of the said penalties shall be paid to the informer or informers; and in case of non-payment on conviction, the person so convicted shall be committed by the justices before whom the conviction shall be, to the common goal or house of correction, to remain for any time not exceeding one month, as such justices shall order and direct.

Inhabitants of
any parish
wherein any of
the aforesaid
offences shall
be committed,
to be deemed
competent wit-
nesses.

Provided always, and be it further enacted, That any inhabitant of any parish, township, or place, in which any offence shall be committed contrary to the act of the twelfth year of the reign of his late Majesty King *George* the First, or contrary to the act of the twenty-second year of his late Majesty King *George* the Second, or contrary to this act, shall be deemed a competent witness, notwithstanding his or her being an inhabitant of such parish, township or place.

Justice of
peace, on com-
plaint to him
made upon
oath of any of-
fence against
this act, may
issue his war-
rant for appre-
hending the of-
fender.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any one justice of the peace of any county, riding, division, city, liberty, town, or place, and he is hereby required, upon complaint to him made upon oath, or (if the person complaining be of the people called *Quakers*) solemn affirmation of any offence committed against this act, within the same county, riding, division, city, liberty, town, or place, to issue his warrant for apprehending, and bringing before any two or more justices of the peace of the same county, riding, division, city, liberty, town, or place, the person or persons charged with

with such offence; and the justices before whom such person or persons shall be brought, are hereby authorised and required to hear and determine the matter of such complaint, and to proceed to judgment and conviction thereupon.

And whereas the said act of the twenty-se-Preamble.
cond year of the reign of his late Majesty King George the Second, only gives an appeal from an order of any justice or justices of the peace to the general or general quarter sessions of the peace, where an order is made by any justice or justices of the peace, in the case of the buyer or receiver of such purloined or embezzled materials as aforesaid, and in respect to the sale or disposal of such materials found on searching by warrant, after any conviction for purloining or embezzling, or for receiving or buying such purloined or embezzled materials : And whereas it is thought more proper to give a right of appealing in the case of other orders of any justice or justices of the peace, to be made by force of an act, made in the twelfth year of the reign of his late Majesty King George the First, intituled, "*An act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages,*" and of the said act ; and also in the case of all orders to be made by any justices of the peace under this act ; be it therefore further enacted, That if any person shall think him-
self or herself aggrieved by the order or judgment of any two justices before whom he or she shall have been convicted of any of the offences in the said acts of the twelfth year of the reign of King George the First and the twenty second year of the reign of King George the Second, or in this act, such person may appeal, and the said justices are hereby required to make known to such person at the time of such con-
L
Persons ag-
grieved by the
order of any
two justices,
&c. may ap-
peal to the
quarter sessions
viction

giving notice
to such justices
of their inten-
tion to appeal,
and entering
into recogni-
zance, &c.

viſtion his or her right to appeal, to the next general or general quarter ſeſſions of the peace to be holden for the county, riding, diviſion, city, liberty, town, or place, where ſuch conviction ſhall have been made, (ſuch perſon, at the time of ſuch conviction, giving to ſuch juſtices notice in writing of his or her intention to appeal, and alſo entering into a recognizance, at the time of ſuch notice, with ſufficient ſureties, conditioned to try ſuch appeal, and to abide the judgment of, and pay ſuch coſts as ſhall be awarded by, the juſtices at ſuch ſeſſions); but if the perſon giving ſuch notice of appeal ſhall not, at the time of giving ſuch notice, enter into ſuch recognizance as aforeſaid, then the juſtices, to whom ſuch notice of appeal ſhall have been given, ſhall and may commit ſuch perſon or perſons to the houſe of correction, or other publick priſon of ſuch county, riding, diviſion, city, liberty, town, or place, there to remain until the ſaid next general or general quarter ſeſſions of the peace, to be holden in and for ſuch place, unleſs ſuch recognizance ſhall be ſooner entered into; and the ſaid juſtices before whom ſuch conviction ſhall have been made, or any other two or more juſtices of the ſame county, riding, diviſion, city, liberty, town, or place, are hereby impowered and required to take, and the juſtices at ſuch ſeſſions are hereby authoriſed and required, upon due Proof made of ſuch notice of appeal, either by the acknowledgment of the juſtices to whom the ſame ſhall have been given, or otherwiſe, to hear and determine the matter of the ſaid appeal, and to award ſuch coſts as to them ſhall appear juſt and reaſonable, to be paid by either party, and if, upon the hearing of ſuch appeal, the judgment of the juſtices before whom

How the de-
linquent ſhall
be puniſhed,
in caſe the ſeſ-
ſions confirm
his conviction.

whom the appellant shall have been convicted shall be affirmed, such appellant shall, within forty eight hours next after the same shall be so affirmed, suffer such corporal punishment as shall have been directed to be inflicted upon him or her for the offence whereof he or she shall have been convicted, or shall immediately pay the sum which he or she shall have been adjudged to forfeit, together with such costs as the justices in the said sessions shall award to be paid by him or her, for defraying the expences sustained by the defendant or defendants in such appeal; or in default of making such payments shall be committed to the common goal, or house of correction, in the same manner, and for the same time, to be computed from the affirmance of such conviction, as shall be directed by the original judgment of conviction, unless the person or persons so convicted shall have been imprisoned under the original conviction, in which case the time for which such person or persons shall have been so confined shall be included in the order of confirmation.

And whereas an act, passed in the twenty-<sup>Part of an act
of 23 Geo. II.
repealed.</sup> third year of the reign of his late Majesty King George the Second, (intituled, *An act for the more effectually punishing of persons convicted of seducing artificers in the manufactures of Great-Britain or Ireland, out of the dominions of the Crown of Great-Britain; and to prevent the exportation of utensils made use of in the woollen and silk manufactures, from Great-Britain or Ireland into foreign parts; and for the more easy and speedy determination of appeals, allowed in certain cases by an act made in the last session of parliament, relating to persons employed in the several manufactures therein mentioned,*) prescribes a

form for conviction of the several offences mentioned in the said recited act of the twenty-second of *George* the Second; but such form is not adapted to the said last mentioned act, as altered by this act; and it may be useful to have one general form for the said recited act of the twenty-second of *George* the Second, and this act; be it therefore further enacted, That in respect to all offences which from and after the said first day of *July*, 1777, shall be committed against the said recited act of the twenty-second of *George* the Second, so much of the said act of the twenty-third of *George* the Second, as prescribes a form of conviction for offences against the said act of the twenty-second of *George* the Second, shall be repealed; and that, from and after the said first day of *July*, 1777, the justices before whom any offender shall be convicted of any offence, either against the said act of the twenty-second of *George* the Second, or varied by this act, or against this act, shall cause the conviction to be certified to the next general or general quarter session of the peace to be held in and for the county, riding, division, city, liberty, town, or place, where such conviction was made, to be filed with the records of such sessions; and such conviction shall and may be drawn up and written on parchment, and certified in the following form of words, as far as the name of the person and the nature of the case will admit of: (that is to say):

How justices
to proceed for
conviction of
offenders
against the said
act of 22 Geo.
II. of this act.

*Middlesex, (or
any other
place; as the
case shall be)
to wit.*

BE it remembered, That on the
day of
in the year of our Lord

Form of con-
viction.

A. B. was convicted before us
of his Majesty's justices
of the peace in and for the said
county of *or, for the*
riding of the said county of
or, for the city, liberty, town, or
place aforesaid, in the said county
(*as the case shall be*)
of [*Here specify the offence,*
and when and where the same was
committed.]

Given under our hands and seals the day
and year first above written.

Provided always, and be it further enacted, Proceedings
That no order made, touching or concerning not to be
any of the matters in this act contained, or any quashed for
proceedings to be had touching the conviction want of form,
of any offender or offenders against the said act
of the twenty-second of *George* the Second, or
this act, shall be quashed for want of form, or
be removed or removeable, by *certiorari*, into nor removed
his Majesty's court of King's Bench; and the by *certiorari*.
justices before whom such convictions shall be
had, shall cause the same, drawn up in the
form aforesaid, to be fairly written upon parch-
ment, and transmitted to the next general or
general quarter sessions of the peace to be held
for the county, riding, division, city, liberty,
town, or place, wherein such conviction was
had, to be filed and kept amongst the records
of the said general or general quarter sessions;
and in case the person or persons so convicted
shall appeal from the judgment of the said jus-
tices to the said general or general quarter ses-
sions;

sions ; the justices on such general or general quarter sessions are hereby required, upon receiving the said conviction drawn up in form aforesaid, to proceed to the hearing and determination of the matter of the said appeal, according to the direction of the said act, any law or usage to the contrary notwithstanding.

This act not to repeal any former law, except as is here in particularly expressed ;

Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to repeal any former law or laws now in being, for the punishment of any of the offences herein above specified, except so far as is particularly expressed by this act ; and no offender who shall have been proceeded against, upon or by virtue of this act, for any of the offences herein specified, shall for the same offence be afterwards proceeded against upon or by virtue of any such former law or laws.

nor to extend to any offence committed against the act 22 Geo. II. before July 1, 1777.

Provided also, and be it further enacted, That nothing contained in this act shall extend to, or affect any person or persons for any offence committed or to be committed against the said cited act of the twenty-second year of the reign of his late Majesty King *George* the Second, before the said first day of *July*, 1777 ; but all and every such offender and offenders shall and may be prosecuted and punished in the same manner as if this act had not been made.

Limitation of actions.

And be it further enacted, That if any suit or action shall be commenced or prosecuted against any person or persons, for any thing done or to be done in pursuance of this act, every such suit or action shall be severally brought, laid, and tried, in the county or place where the fact was committed, and not elsewhere ; and the defendant or defendants in every such action or

General issue,

suit shall and may plead the general issue, and give

give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance of and by the authority of this act: And if it shall appear to be so done, or if any such suit or action shall be brought in any other county or place than where the fact was committed, then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action after the defendant or defendants shall have appeared, or if, upon demurrer, judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like Treble costs. remedy for the same as any defendant or defendants hath or have for costs in other cases at law.

Anno

Anno Vicefimo Primo

Georgii III. Regis.

CAP. XXXVII.

An act to explain and amend an act made in the fourteenth year of the reign of his present Majesty, intituled, An act to prevent the exportation to foreign parts of utensils made use of in the cotton, linen, woollen, and silk manufactures of this kingdom.

Preamble.

WHEREAS by an act made in the fourteenth year of the reign of his present Majesty, intituled, *An act to prevent the exportation to foreign parts of utensils made use of in the cotton, linen, woollen, and silk manufactures of this kingdom*, certain provisions, penalties, and forfeitures, are provided, inflicted, and imposed, for the purpose of preventing and prohibiting the exportation into foreign parts (except to any port or place within Great-Britain or Ireland) of all such tools or utensils as are commonly used in, or are proper for the preparing, worked up, or finishing, of the cotton or linen manufactures of this kingdom; and also for the preventing and prohibiting all and every person or persons whomsoever from the collecting, obtaining, or having in his, her, or their custody or possession, with intent to export, any tools or implements used

Act 14 George
III. recited,

as

as well in the said cotton or linen, as in the woollen or silk manufactures of this kingdom: And whereas the penalties and forfeitures to which offenders against the said act are thereby subjected and made liable and the provisions, powers, and remedies thereby made and provided, for the recovery and enforcing of such penalties and forfeitures, are found inadequate to the prevention of the evils thereby intended to be remedied; and it is therefore become necessary to make some further and more effectual provision to deter persons from committing the said offences, so destructive to the trade of this kingdom: Therefore, for the better preserving to his Majesty's subjects the benefits arising from those great and valuable branches of trade and commerce, and for preventing the said pernicious practices for the future, and for explaining, amending, and rendering more effectual, the said recited act, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and temporal, and Commons, in this present parliament assembled, and by the authority of the same, that if, at any time after the twenty-fourth day of June, one thousand seven hundred and eighty-one, any person or persons in *Great Britain or Ireland* shall, upon any pretence whatsoever, load, or put on board, or pack, or cause or procure to be laden, put on board, or packed, in order to be loaded or put on board of any ship or vessel, which shall not be bound directly to some port or place in *Great Britain or Ireland*, or shall lade, or cause or procure to be laden, on board any boat or other vessel, or shall bring, or cause to be brought, to any quay, wharf, or other place, in order to be so laden

After June 24, 1781, if any person in Great Britain or Ireland, shall pack or put on board any vessel any machine, tool, or utensil, used in the woollen, cotton, linen, or silk manufactures, or any model of machine, &c.

or put on board any such ship or vessel, any machine, engine, tool, press, paper, utensil, or implement whatsoever, which now is, or at any time or times hereafter shall or may be used in, or proper for the preparing, working, pressing, finishing, or completing of the woollen, cotton, linen, or silk manufactures of this kingdom, or any or either of them, or any other goods wherein wool, cotton, linen, or silk, or any or either of them, are or is used, or any part or parts of such machine, engine, tool, press, paper, utensil, or implement, by what name or names soever the same shall be called or known; or any model or plan, or models or plans, of any such machine, engine, tool, press, paper, utensil, or implement, or any part or parts thereof, and complaint being made upon the oath of one or more credible witness or witnesses, before any justice or justices of the peace, it shall and may be lawful to and for such justice or justices of the peace to issue his or their warrant or warrants, not only to seize all such machines, engines, tools, presses, papers, utensils, or implements, and part or parts thereof, and all such model or plan, models or plans, and part or parts thereof, together with the packages, and all other goods packed therewith, if any such there be, but also to bring the person or persons so complained of before him or them, or some other of his Majesty's justices of the peace for the same county, city, riding, division, liberty, shire, stewardry, or place; and if, when such person or persons shall be brought before such justice or justices, he, she, or they shall not give such an account of the use and purpose to which such machines, engines, tools, presses, papers,

any Justice
may grant a
warrant for
seizing such
machine, &c.
and bringing
such person be-
fore him;

And if a satis-
factory account
be not given to
the Justice, he
may detain
such machine,
&c. and bind

papers, utensils, or implements, and part or the party to
 parts thereof, and all such model or plan, ^{appear at the}
 models or plans, and part or parts thereof, are ^{next assizes,}
 &c.

intended to be appropriated, as shall be satisfactory to the justice or justices before whom he, she, or they shall be brought as aforesaid, then, and in such case, it shall and may be lawful to and for such justice or justices, not only to cause all such machines, engines, tools, presses, papers, utensils, or implements, models, or plans, or part or parts thereof, which shall have been seized as aforesaid, together with the packages, and all other goods packed therewith, to be detained, but also to bind the person or persons so charged to appear at the next assizes, general gaol delivery, or quarter sessions of the peace for the county, city, riding, division, stewardry, or place, where such offence shall be committed, with reasonable sure-

ties for his, her, or their appearance; and in case such person or persons shall refuse or neglect to give such security, then, and in such case, it shall and may be lawful to and for such justice or justices to commit the person or persons so refusing to the common gaol or house of correction, there to be kept until the next assizes, or next quarter sessions, of the county, city, riding, division, shire, stewardry, or place, where such commitment shall be, and until he, she, or they shall be delivered by due

On neglect of giving security, the party may be committed.

course of law; and in case any such person or persons shall be convicted of any of the offences aforesaid, upon any indictment or information against him, her, or them, at such assizes or quarter sessions of the peace as aforesaid, the person or persons so offending shall, for every such offence, not only forfeit all such machines, engines, tools, press, paper, utensils or im-

Penalty on conviction.

plements, models or plans, or parts thereof respectively, together with the packages, and all other goods packed therewith, if any such there be, but also the sum of two hundred pounds of lawful money of *Great Britain*; and shall also suffer imprisonment in the common gaol, prison, or house of correction, of the county, city, riding, division, liberty, shire, stewardry, or place, wherein such offender or offenders shall be respectively convicted, for the space of twelve months, without bail or main-prize, and until such forfeiture shall be paid.

Custom-House
Officers em-
powered to
seize all such
machines, &c.
going to be ex-
ported.

II. *And be it further enacted by the authority aforesaid*, that, from and after the said twenty fourth day of *June*, it shall and may be lawful to and for any officer of his Majesty's customs in *Great Britain*, and to and for any officer of the revenue in *Ireland*, and they are hereby required to seize, and secure in some or one of his Majesty's warehouses, all such machines, engines, tools, press, papers, utensils, or implements, or part or parts thereof, and all and every such model or plan, models or plans, or part or parts thereof, as such officer shall find or discover, to be laid or put on board, or intended to be laid or put on board of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, contrary to the true intent and meaning of this act, together with the packages, and all other goods packed therewith (if any such there be,) and they are hereby indemnified in so doing; and all machines, engines, tools, press, papers, utensils, and implements, or part or parts thereof, model or plan, models or plans, or part or parts thereof, together with the packages, and other goods packed therewith, so seized and secured as aforesaid, shall,

shall, after condemnation thereof in due course of law, be publickly sold to the best bidder, by order of the commissioners of the customs in *Great Britain*, or commissioners of the revenue in *Ireland* respectively; and one moiety of the produce arising by the sale thereof, after deducting the charges of condemnation and sale, shall be to the use of his Majesty, his heirs and successors, and the other moiety to the officer who shall seize and prosecute the same as aforesaid.

III. *And be it further enacted by the authority* ^{Penalty on Captains taking on board any such machine, &c.} *aforesaid*, That from and after the said twenty-fourth day of *June*, if the Captain or Master of any ship, vessel, or boat, in *Great Britain* or *Ireland*, shall knowingly or designedly permit or suffer any machine, engine, tool, press, paper, utensil, or implement, or part or parts thereof, or any model or plan, or part or parts thereof, by this act prohibited to be exported as aforesaid, to be put on board his said ship, vessel, or boat, every such Captain or Master shall, for every such offence, forfeit the sum of two hundred pounds; and if the said ship, vessel, or boat, shall belong to his Majesty, his heirs or successors, then the Captain, or Master thereof, shall not only forfeit the sum of two hundred pounds, but shall also forfeit his employment, and be incapable of holding any office or employment under his Majesty, his heirs or successors.

IV. *And be it further enacted by the authority* ^{Penalty on Custom-House Officers who shall take any entry outwards &c. for exporting any such prohibited machines, &c.} *aforesaid*, That if any customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain*, or any officer of the revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any entry outward, or shall sign any cocket, warrant, or sufferance, for the shipping or exporting of any

of the said machines, engines, tools, preſs, papers, utenſils, or implements, or any part or parts thereof, or any of the ſaid models or plans, or any part or parts thereof by this act prohibited to be exported, or ſhall knowingly or willingly permit or ſuffer the ſame to be done, directly or indirectly, contrary to the true intent and meaning of this act, every ſuch customer, comptroller, ſurveyor, ſearcher, waiter, or other officer, of the customs of *Great Britain*, or officer of the revenue in *Ireland*, ſhall, for every ſuch offence forfeit the ſum of two hundred pounds, and ſhall alſo forfeit his office, and be incapable of holding any office or employment under his Maſteſty, his heirs or ſucceſſors.

Penalties and
forfeitures how
to be recovered
and applied.

V. *And it is hereby further enacted by the authority aforeſaid*, That the ſeveral penalties and forfeitures herein-before mentioned (the manner of recovery whereof is not herein-before particularly directed) ſhall and may be ſued for and recovered, by action of debt, bill, plaint, or information, in any of his Maſteſty's courts of record at *Westminster*, or in the court of ſeſſion in *Scotland*, or in any of the four courts at *Dublin*, in the name of his Maſteſty's Attorney General, or Lord Advocate, or in the name of ſome officer or officers of the customs in *Great Britain*, or ſome officer or officers of the revenue in *Ireland* reſpectively; wherein no eſſoin, protection, privilege, wager of law, or more than one imparlance, ſhall be allowed; and that one moiety of the ſaid penalties and forfeitures ſhall go and be applied to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to the uſe of ſuch officer or officers of the customs or revenue, as ſhall ſue

sue and prosecute for the same respectively, after deducting the charges of prosecution from the whole.

VI. *And be it further enacted by the authority* If oath shall be made before a Justice of any such prohibited machines, &c. being intended to be exported, they may be seized and detained, and the person in whose possession they are found, may be bound to appear at the next assizes, &c.
aforesaid, That, from and after the said twenty fourth day of *June*, if any person or persons hath or have in his, her, or their custody, power, or possession, or shall collect, obtain, make, apply for, or cause or procure to be made, any such machine, engine, tool, press, paper, utensil, or implement, or any part or parts thereof, or any such model or plan, models or plans, or part or parts thereof as aforesaid, with intent to export, or that the same may be exported to some other port or place than *Great Britain* or *Ireland*, and complaint being made, upon the oath of one or more credible witness or witnesses, before any justice or justices of the peace, that there is reason to believe such person or persons hath or have in his, her, or their custody, power, or possession, or hath or have collected, obtained, made, applied for, or caused or procured to be made, any such machine, engine, tool, press, paper, utensil, or implement, or part or parts thereof, or any such model or plan, or models or plans, or part or parts thereof, as aforesaid, with intent to export, or that the same may be exported to some other port or place than *Great Britain* or *Ireland*; then, and in any of the said cases, it shall and may be lawful to and for the said justice or justices of the peace to issue his or their warrant or warrants to seize all such machines, engines, tools, presses, papers, utensils, or implements, or part or parts thereof, and all such models or plans, or part or parts thereof

thereof as aforesaid, and to bring the person or persons so complained of before him or them, or some other of his Majesty's justices of the peace for the same county, city, riding, division, shire, stewartry, or place; and if such person or persons shall not give such an account of the use or purpose to which such machines, engines, tools, presses, papers, utensils, or implements, or part or parts, models, or plans, or part or parts thereof, is, are, or were intended to be appropriated, as shall be satisfactory to the justice or justices before whom he, she, or they shall be brought as aforesaid, then and in such case it shall and may be lawful to and for such justice or justices to cause all such machines, engines, tools, presses, paper, utensils, or implements, or part or parts thereof, models or plans, or part or parts thereof, which shall have been seized as aforesaid, to be detained, and also to bind the person or persons so charged to appear at the next assizes, general gaol delivery, or quarter sessions of the peace, for the county, city, riding, division, shire, stewartry, or place where such offence shall be committed, with reasonable sureties for his, her, or their appearance; and in case such person or persons shall refuse or neglect to give such security, then and in such case it shall and may be lawful to and for such justice or justices to commit such person or persons to the county gaol, prison, or house of correction, there to remain until the next assizes or quarter sessions of the county, city, riding, division, liberty, stewartry, or place, where such commitment shall be, and until he, she, or they shall be delivered by due course of law; and in case any such person or persons shall be convicted,

upon

On neglect of giving security the party may be committed.

Penalty on conviction.

upon any indictment or information against him or her or them, at such assizes or quarter sessions of the peace as aforesaid, of having in his, her, or their custody, power, or possession, or of having collected, obtained, made, applied for, or caused or procured to be made, any such machine, engine, tool, press, paper, utensil, or implement, or part or parts thereof, model or plan, or part or parts thereof, with such intent as aforesaid, then and in such case the person or persons so convicted shall, for every such offence, forfeit and lose all such machines, engines, tools, presses, papers, utensils, or implements, or part or parts thereof, models or plans, or part or parts thereof, which shall be so seized and detained, and also the sum of two hundred pounds of lawful money of *Great Britain*, and shall suffer imprisonment in the common gaol of the county, city, riding, division, shire, stewartry, or place, wherein such offender or offenders respectively shall be convicted for the space of twelve months, without bail or mainprize, and until such forfeiture shall be paid. Provided nevertheless, That no person shall be prosecuted for any of the offences aforesaid, in this clause mentioned, unless such prosecution shall be commenced within the space of twelve months next after such offence shall be committed.

VII. *And be it further enacted by the authority aforesaid,* That the respective forfeitures by this act inflicted upon offenders against the same, shall, when recovered, (where the same is not by this act otherwise provided,) go and be applied to the use of the informer, after the expences of the prosecution are paid.

VIII. *And be it further enacted by the authority aforesaid,* That if any suit or action shall be commenced against any person for what he

N

shall

Prosecution to
be commenced
within twelve
months.

Forfeitures
(where not
otherwise pro-
vided) to go to
the informer.

Limitation of
actions.

shall do in pursuance of this act, such suit or action shall be commenced within six months next after the fact committed, and the person so sued may file common bail, or enter a common appearance, and plead the general issue not guilty, and may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him or her, or if upon demurrer judgement shall be given against the plaintiff, the defendant shall recover treble costs.

General issue.

Treble costs.

Not to extend
to wool cards,
&c. exported to
America.

IX. *Provided always*, That nothing herein contained shall extend to the preventing wool cards, or stock cards, not exceeding in value four shillings per pair, and spinners cards not exceeding in value one shilling and sixpence per pair, used in the said woollen manufacture, from being exported to any of his Majesty's colonies or plantations in America.



FINIS.

